

# OCTOBER TERM, 1954

## STATISTICS

	Original	Appellate	Miscellaneous	Total
Number of cases on dockets-----	11	843	712	1, 566
Cases disposed of-----	0	721	640	1, 361
Remaining on dockets-----	11	122	72	205

### Cases disposed of—Appellate Docket :

By written opinions-----	86
By per curiam opinions-----	99
By motion to dismiss or per stipulation (merit cases)-----	4
By denial or dismissal of petitions for certiorari-----	532

### Cases disposed of—Miscellaneous Docket :

By written opinion-----	0
By per curiam opinions-----	3
By denial or dismissal of petitions for certiorari-----	494
By denial or withdrawal of other applications-----	126
By dismissal of appeals-----	8
By transfer to Appellate Docket-----	9

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Number of written opinions-----	78
Number of printed per curiam opinions-----	2
Number of petitions for certiorari granted-----	120
Number of appeals in which jurisdiction was noted or postponed-----	18
Number of admissions to bar (262 admitted Apr. 25)-----	2, 279

## REFERENCE INDEX

	Page
Court convened October 4.	
Vinson, C. J., resolutions of the Bar presented (Oct. 25)-----	45
Jackson, J., death of (Oct. 9, 1954) announced-----	4
Resolutions of the Bar presented (April 4)-----	182
Harlan, J., commission read and oath taken (March 28)-----	164
Roberts, J. (resigned), death of (May 17, 1955) announced-----	254
Frankfurter, J., temporarily assigned to Second Circuit-----	88
Allotment of Justices-----	204

	Page
Sound amplifying equipment installed in Courtroom on trial basis and used throughout the term.....	
Announcement of four-day argument week beginning next term.....	284
Court adjourned early because of hurricane warning (Oct. 15).....	35
Conference room session.....	61
Attorney:	
Change of name.....	84
Order of disbarment set aside (In re Isserman, 5 Misc.)....	7
Rules to show cause why judgments for costs should not be entered (Jones et al.).....	176, 283
Counsel appointed (468, 815) (See amicus curiae).....	116, 272
Special Master:	
Motions referred to (9 and 10 Orig.).....	9, 143
Compensation awarded (11 Orig.).....	256
Rules of Supreme Court—Rule 41 (1) amended so as to require filing of petitioner's or appellant's brief 45 days after case taken, where copies of record can be furnished.....	284
Opinion amended (153).....	220
Order modified (250 Misc.).....	120
Judgment announced—no opinion of the Court (51).....	167
Judgments affirmed by equally divided Court (28, 157, 213)....	75, 208
Judgment vacated on jurisdictional statement and case remanded with directions to dismiss as moot (508).....	138
Judgment reversed on jurisdictional statement on authority of recent case (320-322).....	218
Judgment state court vacated on jurisdictional statement, case moot (111).....	8
Judgment vacated and case remanded with directions to dismiss petition for habeas corpus as moot (118).....	63
Judgment vacated on petition for certiorari and case remanded with directions to dismiss as moot (604) (581 Misc.)....	218, 272
Judgment vacated on petition for certiorari and case remanded to Court of Appeals for reconsideration in light of order of Corp. Comm. of Oklahoma (274).....	63
Judgment vacated on petition for certiorari and case remanded "for disposition agreeable to the representation of counsel for respondents" (427).....	93
Judgment vacated in series of cases on petition for certiorari and cases remanded to Court of Appeals for consideration in light of "net worth decisions" (12 etc.).....	102
Judgment vacated on petition for certiorari upon consideration of confession of error and examination of record (31 Misc.)..	128
Judgment vacated on petition for certiorari and earlier judgment reinstated (534).....	156

	Page
Judgment vacated on petition for certiorari and case remanded to Court of Appeals for consideration of certain question (644)-----	237
Judgment vacated on petition for certiorari and case remanded for new trial in accordance with the Government's suggestion (663)-----	264
Judgment state court reversed on petition for certiorari (567) _	161
Judgment reversed on petition for certiorari (88, 530, 525)-----	7, 143, 156
Judgment reversed on petition for certiorari and case remanded with directions to dismiss indictment (416)-----	93
Judgment reversed on petition for certiorari and cases remanded for retrial "in the interests of justice and in the exercise of the supervisory powers of this Court" (538, 548)-----	161
Judgment reversed on petition for certiorari citing recent decisions (450 etc.)-----	168
Judgment reversed on petition for certiorari on consideration of confession of error and authority of recently decided case (595)-----	236
Order of Court of Appeals reversed on petition for certiorari "insofar as it denies petitioners leave to proceed in forma pauperis" citing <i>Adkins v. DuPont</i> , 335 U. S. 331 (327 Misc.)-----	129
<b>Amicus curiae :</b>	
Solicitor General invited to argue (357, 236)-----	65, 144
Solicitor General invited to file brief (220, 186, 236)-----	10, 13
Argued with consent of party (20, 53, 97, 184, 367)-----	40, 224, 73, 125, 151, 152
Invited to argue in support of judgment (261, see opinion) _	85
Invited to argue on behalf of petitioner (412, see opinion) _	156
Leave to file brief granted (131, 406, 357, 394)-----	116, 129, 169
Leave to file brief denied with two justices dissenting (157)-----	144
Six states and the United States argued as amici curiae in school segregation cases-----	213
Case called to attention of National Mediation Board with Court expressing "its readiness to accept any brief it might wish to submit" (131)-----	116
Argument pro hac vice (119)-----	71
<b>Argument :</b>	
Motion to postpone granted (301)-----	138
Court declined to hear further argument (368)-----	153
Motion to remove from summary calendar granted (417) _	169
Twelve and one-half hours in school segregation cases----	211
Case ordered argued after submission on briefs (261)-----	78, 85

## Argument—Continued

	Page
Cases continued "in view of absence of a full Court" (school segregation cases)-----	85
No cases heard from Nov. 18 to Jan. 31 due to operation of new rules.	
Reargument ordered (20, 157, 213, 150)-----	76, 246, 272
Brief:	
Motion to strike opposition for reason of late filing granted (166)-----	24
Motion to strike because two cases consolidated, denied (191 and 321)-----	138
Memoranda requested after argued case considered in conference (387)-----	237
Damages—motion for, denied (79 Misc., 581)-----	93, 202
In forma pauperis—motion to so proceed granted and certiorari denied in case where court below had denied leave to proceed in forma pauperis (541 Misc.) (see also 327 Misc., page 129) -	275
Veteran—motion to proceed as, granted (246)-----	57
Motion to clarify and define assignments of error denied (162) -	9
Motion as to printing record denied (236)-----	93, 119
Parties:	
Motion to add party denied without prejudice to renewal on remand to District Court (230)-----	143
Substitution of state officer permitted where it was shown that he had been in office more than six months (204)---	117
Stay, referred to Court, denied (414)-----	57
Stay of execution granted (Irvin)-----	61
Bail, referred to Court, denied (393 Misc.)-----	112
Appeal from and certiorari to U. S. Court of Appeals—judgment affirmed and writ dismissed (6, see opinion)-----	92
Appeal dismissed for want of final judgment with three Justices dissenting (594)-----	202
Appeal papers treated as petition for certiorari as to questions not reviewable on appeal (250 Misc., 701)-----	120, 256
Certiorari:	
Original petition granted and supplemental petition denied (145)-----	12
Motion to file supplement to petition granted (478)-----	169
Denied without prejudice to prosecute appeal in state court (2 Misc.) ; to file habeas corpus in U. S. District Court (53 Misc., 285, 47 Misc.)-----	32, 59, 98
Denied for reason judgment based on state grounds adequate to support it (318)-----	59

Certiorari—Continued	Page
Motion for an order nunc pro tunc extending time to file petition where there had been a delay in transit denied (I. L. W. U. v. N. L. R. B.)-----	104
Writs dismissed as improvidently granted (32, 28, see opinion, 20, see opinion)-----	128, 236, 270
Rehearing:	
Granted and order of disbarment vacated (5 Misc., see order)-----	7
Granted (622 O. T. 1953—on petition for certiorari; 304 O. T. 1953—after decision on the merits and also after expiration of judgment term, see 28 U. S. C. 452), and cases remanded for reconsideration in light of “net worth decisions”-----	103
Granted after affirmance by equally divided Court and writ dismissed as improvidently granted (28, see opinion)---	236
Granted after affirmance by equally divided Court (157, 213)-----	246
Time to file limited (742)-----	265
Order suspending call of docket entered April 18, 1955; arguments completed April 22-----	221
Final order (June 6, 1955)-----	284



## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

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Lowell Blum, of Wantagh, N. Y.; George A. Murphy, of Freeport, N. Y.; William J. Deeley, Jr., of Freeport, N. Y.; Irving E. Dickman, of Seaford, N. Y.; Albert A. Oppido, of New Hyde Park, N. Y.; Byron G. van Horne, of Mineola, N. Y.; Nathaniel S. Rudes, of Lynbrook, N. Y.; Comunardo L. Renzulli, of Rockville Centre, N. Y.; Edward T. O'Brien, of Westbury, N. Y.; Edward C. Schiffmacher, of Baldwin, N. Y.; Nathaniel A. Kahn, of West Hempstead, N. Y.; Howard A. Rochford, of Rockville Centre, N. Y.; Abraham H. Moskowitz, of Merrick, N. Y.; Alvin L. Weil, of Westbury, N. Y.; Benjamin Beskin, of Wantagh, N. Y.; Richard E. Rahn, of Massapequa, N. Y.; Leonard L. Rivkin, of Freeport, N. Y.; William Gitelman, of Merrick, N. Y.; Frank Makara, of New York, N. Y.; James W. Clair, of East Rockaway, N. Y.; Peter S. Ingoglia, of Wantagh, N. Y.; Theodore D. Rothenberg, of Wantagh, N. Y.; William F. Hartnett, Jr., of Westbury, N. Y.; Arthur B. Minikes, of Oceanside, N. Y.; Julius M. Gerzof, of Freeport, N. Y.; Walter G. Michaelis, of Baldwin, N. Y.; Joseph Hittner, of Brooklyn, N. Y.; Samuel M. Rapps, of Brooklyn, N. Y.; Paul Kellner, of Franklin Square, N. Y.; Joseph Stern, of Farmingdale, N. Y.; Allan Hyman, of Freeport, N. Y.; Samuel S. Schwartz, of Valley Stream, N. Y.; Alfred B. Hautf, of Freeport, N. Y.; Harold Weil, of Freeport, N. Y.; Salvatore M. Milano, of Lynbrook, N. Y.; Edwin J. Freedman, of Freeport, N. Y.; Walter G. Kapp, of Freeport, N. Y.; Calvin Raff, of Flushing, N. Y.; Meyer F. Goodman, of Freeport, N. Y.; George Morton Levy, of Mineola, N. Y.; Tullio A. Tomaselli, of Freeport, N. Y.; Elihu Berman, of Freeport, N. Y.; Nathan Dorfman, of Glen Cove, N. Y.; David Quient, of Baldwin, N. Y.; Charles Robert Carroll, of Hicksville, N. Y.; Abraham S. Hittner, of Brooklyn, N. Y.; William A. Speckels, of Seaford, N. Y.; Herbert H. Kunmann, of Hempstead, N. Y.; James N. MacLean, of Massapequa, N. Y.; Victor H. Leff, of Freeport, N. Y.; William H. Chandler, of Merrick, N. Y.; Willis B. Carman, of Farmingdale, N. Y.; John Buckley, of Baldwin, N. Y.; Seymour Fischman, of Mineola, N. Y.; George Gewanter, of Cedarhurst, N. Y.; Rufus Dinkle McLean, of Catlettsburg, Ky.; Leopold Lee Bernstein, of Los Angeles, Calif.; Philip A. Lozowick, of Chicago,

Ill.; Richard Joseph Blanchard, of Toledo, Ohio; Joseph H. Lesh, of Huntington, Ind.; J. Smith Henley, of Harrison, Ark.; Glenn W. Blackshear, of Washington, D. C.; and William C. Wise, of Washington, D. C.; on motion of Mr. Solicitor General Simon E. Sobeloff; John H. Merchant, of Amarillo, Tex., and J. O. Fitzjarrald, of Amarillo, Tex., on motion of Mr. Walter Rogers; Joseph Weldon Bailey Humphreys, of Dallas, Tex., on motion of Mr. Tom Pickett; Richard W. Ervin, of Tallahassee, Fla., George E. Owen, of Tallahassee, Fla.; Ralph E. Odum, of Tallahassee, Fla.; and Robert H. Carlton, of Tampa, Fla., on motion of Mr. James P. McGranery; Donald Cefaratti, Jr., of Washington, D. C., and Samuel Voltaggio, of Newark, N. J., on motion of Mr. Anthony J. Siciliano; David H. Loeffler, of Bristow, Okla., on motion of Mr. Roberts Browning Larson; John Raymond Hannon, of Yonkers, N. Y., on motion of Mr. Charles Sylvanus Rhyne; Royal M. Galvin, of Beverly Hills, Calif., and Daniel Schnabel, of Beverly Hills, Calif., on motion of Mr. Omar L. Crook; Thomas H. Barkdull, Jr., of Miami Beach, Fla., on motion of Mr. Arden L. Andresen; Hyman Stein, of Brooklyn, N. Y.; Solomon Rionis Agar, of Staten Island, N. Y.; Bernard P. Lampert, of New York, N. Y., and Edward S. Wachsman, of New York, N. Y., on motion of Mr. Jacob Padawer; Edward D. Re, of Brooklyn, N. Y., on motion of Mr. Harry Leroy Jones; Vernon Barrett, of Los Angeles, Calif., on motion of Mr. James C. Rogers; Reginald R. Rambo, of Washington, D. C., on motion of Mr. Joseph A. Nacrelli; William J. McGair, of Providence, R. I.; Samuel Weintraub, of Providence, R. I., and Francis J. McElhiney of Providence, R. I., on motion of Mr. Robert T. Murphy; Claude L. McCoy, of Lake Worth, Fla., on motion of Mr. William Amory Underhill; Warren Freedman, of New York, N. Y., on motion of Mr. Jacob Reck; George L. Feaster, of Plainfield, N. J., on motion of Mr. Ira L. Ewers; Abel Levy, of Los Angeles, Calif., on motion of Mr. Robert B. Frank; Murray G. Smyth, of Houston, Tex., on motion of Mr. James E. Kilday; Seymour W. Miller, of New York, N. Y., and Lucian J. Endicott, of Atlanta, Ga., on motion of Mr. Ray R. Murdock; Edward J. Ryan, of New York, N. Y., on motion of Mr. John R. Nelligan; B. Nathaniel Richter, of Philadelphia, Pa., on motion of Mr. Bert B. Rand; Harold S. Larsen, of Washington, D. C., on motion of Mr. Robert Sheriffs Moss; Loren Boyd Poush, of Arlington, Va., on motion of Mr. Eulan I. Snyder; Ambrose T. Hartman, of Baltimore, Md., on motion of Mr. J. Edgar Harvey; Ford Hendricks, of Los Angeles, Calif.; Robert L. Toomey, of Washington, D. C., and Rufus Edwin Stetson, Jr., of Bethesda, Md., on motion of Mr. Floyd F. Toomey; John C. Mullen, of Omaha, Nebr., on motion of Mr. George B. Searls; George W. Shoemaker, of Spokane, Wash., on motion of Mr. Newell A. Clapp; Theodore I. Seamon, of

Washington, D. C., on motion of Mr. Philip R. Collins; Thomas B. Tinnon, of Mountain Home, Ark., on motion of Mr. Edward D. Dupree, Jr.; William Hugh Overcash, of Knoxville, Tenn., on motion of Mr. Wilbur Bruce O'Brien; John T. Lynch, Jr., of Detroit, Mich., and Edward John Skeens, of Washington, D. C., on motion of Mr. James M. McInerney; John R. Harrison, of Denver, Colo., on motion of Mr. Robert M. Scott; Charles McCurdy Mathias, Jr., of Frederick, Md., on motion of Mr. J. Edgar Harvey; Paul McLane Conway, of Scranton, Pa., on motion of Mr. Joseph Michael Francis Ryan, Jr.; Dovey J. Rountree, of Washington, D. C., on motion of Mr. Julius W. Robertson; and Len G. McCormick, of Midland, Tex., on motion of Mr. Ralph D. Pittman, were admitted to practice.

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Adjourned until Monday, October 11, next, at 12 o'clock.

The day call for Monday, October 11, will be as follows: Nos. 6, 11, and 7.

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SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

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The Chief Justice said:

“One short week ago this Court convened for its 164th Term, its membership intact and cheerfully anticipating the work before us. Today the chair of our Brother Jackson is vacant, and we are sad indeed. He passed away last Saturday suddenly but by the Grace of God without suffering. For this we are all grateful, because he lived and died as was his great desire—active and useful to the end.

“Able lawyer, statesman and jurist, his passing leaves a great void in this Court. We shall miss greatly his wise counsel, his clarity of expression and his genial companionship.

“For 20 years, as General Counsel, as Solicitor General, as Attorney General of the United States, and as a member of this Court, he labored manfully with the complex and baffling problems of our time. His contributions were great. He has earned his rest.

“Funeral services will be held tomorrow afternoon at three o'clock at the Washington Cathedral, this city. His body will then be taken tenderly to Jamestown, New York, the little city of his youth, where, in pleasant and familiar surroundings, it will abide in peace among his earliest friends.

“In respect to his memory, this Court will now adjourn until Thursday, October 14, 1954, at twelve noon.”

Adjourned until Thursday, October 14, next, at 12 o'clock.

The day call for Thursday, October 14, will be as follows: Nos. 6, 11, and 7.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

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William F. Tompkins, of Maplewood, N. J., William Burwell Bantz, of Spokane, Wash., Leon P. Miller, of Welch, W. Va., Frank Owen Evans, of Milledgeville, Ga., Julian T. Gaskill, of Goldsboro, N. C., B. Hayden Crawford, of Tulsa, Okla., Anthony Julian, of Watertown, Mass., Thomas R. Ethridge, of Oxford, Miss., W. Wilson White, of Philadelphia, Pa., Donald R. Ross, of Omaha, Nebr., George Harrold Carswell, of Tallahassee, Fla., Phil M. McNagny, Jr., of Columbia City, Ind., Heard L. Floore, of Fort Worth, Tex., Paul W. Cress, of Perry, Okla., Francis Everett Van Alstine, of Pocahontas, Iowa, Clinton G. Richards, of Deadwood, S. Dak., Jack D. H. Hays, of Phoenix, Ariz., Robert E. Hauberg, of Jackson, Miss., John R. Morris, of Clarksburg, W. Va., John B. Stoddart, Jr., of Springfield, Ill., William Cozart Calhoun, of Augusta, Ga., Frank D. McSherry, of McAlester, Okla., Alonzo Pratt Kesler, of Salt Lake City, Utah, Roy L. Stephenson, of Des Moines, Iowa, Rubén Rodríguez-Antongiorgi, of San Juan, P. R., Clarence Edwin Luckey, of Eugene, Oreg., William Carter Farmer, of Wichita, Kans., Hugh Krepps Martin, of Columbus, Ohio, Jacob S. Temkin, of Providence, R. I., Frederick William Kaess, of Detroit, Mich., T. Fitzhugh Wilson, of Monroe, La., James L. Guilmartin, of Miami, Fla., Louis Gorman Whitcomb, of Springfield, Vt., Frank M. Johnson, Jr., of Jasper, Ala., Theodore F. Bowes, of Syracuse, N. Y., Maurice Paul Bois, of Manchester, N. H., Leonard Gawthrop Hagner, of Wilmington, Del., Sumner Peter Mills, Jr., of Farmington, Maine, Simon S. Cohen, of Ellington, Conn., Krest Cyr, of Missoula, Mont., Robert Vogel, of Garrison, N. Dak., Charles Ferguson Herring, of Austin, Tex., Wendell Alverson Miles, of Holland, Mich., N. Welch Morrisette, Jr., of Columbia, S. C., James M. Baley, Jr., of Marshall, N. C., Louis B. Blissard, of Honolulu, T. H., Fred Elledge, Jr., of Nashville, Tenn., John Strickler, of Roanoke, Va., Lester Shields Parsons, Jr., of Norfolk, Va., Theodore Fulton Stevens, of Fairbanks, Alaska, Madison B. Graves, of Las Vegas, Nev., Sumner Canary, of Cleveland, Ohio, Edwin R. Denney, of Lexington, Ky., John F. Raper, Jr., of Cheyenne, Wyo., Rowland K. Hazard, of Ancon, C. Z., William M. Steger, of Tyler, Tex., Lloyd Hudson Burke, of San Francisco, Calif., and

John Calvin Crawford, Jr., of Marysville, Tenn., on motion of Mr. Attorney General Herbert Brownell, Jr.; Jerome J. Schwartz, of Mount Vernon, N. Y., Louis M. Welsh, of Los Angeles, Calif., and Thomas H. McGrail, of Washington, D. C., on motion of Mr. Solicitor General Simon E. Sobeloff; Carl J. Richard, of Louisville, Ky., on motion of Mr. Henry P. Chandler; Joseph A. Herbers, of St. Louis, Mo., on motion of Mr. James P. Kem; George W. Reiber, of Bethesda, Md., on motion of Mr. William P. MacCracken, Jr.; Ernest B. Helsley, of Fort Worth, Tex., Theodore G. Schirmeyer, of Houston, Tex., and Mark Martin, of Dallas, Tex., on motion of Mr. Arthur C. Perry; Eugene L. Trope, of Beverly Hills, Calif., Sorrell Trope, of Beverly Hills, Calif., and Walter C. Frame, of Sacramento, Calif., on motion of Mr. Howard H. Schmidt; Joyce I. Pueser, of St. Louis, Mo., and Janice M. Pueser, of St. Louis, Mo., on motion of Mr. Paul J. Kaveney; Daisy Gammage Richards, of Miami, Fla., on motion of Mr. Linton M. Collins; Marshall A. Martin, Jr., of Herndon, Va., Gordon M. Owen, of Taunton, Mass., and John S. Davenport III, of Richmond, Va., on motion of Mr. Henry H. Fowler; Ennis E. Walden, of Corpus Christi, Tex., on motion of Mr. Roger L. Burum; Henry Gifford Hardy, of San Francisco, Calif., on motion of Mr. Wayne L. Benedict; Stanley D. Metzger, of Washington, D. C., on motion of Mr. Monroe Karasik; George A. Helmer, of San Francisco, Calif., on motion of Mr. Tom Killifer; Harrison B. Steward, of Winter Park, Fla., on motion of Mr. Luke R. Lamb; Donald Joseph Fortman, of Chicago, Ill., Roy Edward Graham, of Oklahoma City, Okla., Melvin Alfred Bruck, of Dallas, Tex., on motion of Mr. John Tilden Rogers; Benjamin Simon, of Adelphi, Md., on motion of Mr. Edward August Waldmann; Edward M. C. Freeman, of Knoxville, Tenn., on motion of Mr. William Beasley Harris; Leonard S. Melrod, of Washington, D. C., John J. Darcy, of Bridgeport, Conn., on motion of Mr. Jack Lawrence Friedlander; Earl E. Leming, of Knoxville, Tenn., on motion of Mr. John Lenzie Rogers; J. Edward Shinn, of Philadelphia, Pa., and John Thomas Love, of Chicago, Ill., on motion of Mr. Charles Willard Hayes; Sherman Levy, of Annapolis, Md., on motion of Mr. Donald Levy; Frank B. Steinkirchner, of Wichita, Kans., William C. Hamilton, Jr., of Mount Sterling, Ky., Owen J. Redmond, Jr., of Wichita, Kans., Charles Robert Minich, of Wichita, Kans., Fred J. Gasser, of Wichita, Kans., Wallace Benjamin Foster, of Wichita, Kans., Yale Wesley Gifford, of Wichita, Kans., Eugene S. Hames, of Denver, Colo., Gerald L. Stapp, of Denver, Colo., Jack P. Gibson, of Denver, Colo., Paul F. Goldsmith, of Denver, Colo., Hubert Fletcher Thomas, Jr., of Denver, Colo., Laird S. Campbell, of Denver, Colo., Christopher Thomas O'Neill, of Denver, Colo., Richard Carter Cockrell, of Denver, Colo., and Luis D. Rovira, of Denver, Colo., on motion of Mr. Albert M. Kuhfeld; Chas. L. Mayer,

of Shreveport, La., Whitfield Jack, of Shreveport, La., and Benjamin C. King, of Shreveport, La., on motion of Mr. John M. Madison; Cleveland C. Burton, of Shreveport, La., and Richard H. Switzer, of Shreveport, La., on motion of Mrs. Florence deHaas Dembitz, were admitted to practice.

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Mr. Justice Black announced the following order :

No. 5, MISC.—OCTOBER TERM, 1952.

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*In re* Disbarment of Abraham J. Isserman.

PER CURIAM :

April 6, 1953, an order was entered disbaring Isserman from the practice of law in this Court pursuant to Rule 2, par. 5, of this Court's Rules then in effect. See *In re Isserman*, 345 U. S. 286. The order of disbarment is now before us on a motion for rehearing. Rule 8 of our present Rules provides that "no order of disbarment will be entered except with the concurrence of a majority of the justices participating." The motion for rehearing is granted. A majority of the justices participating do not find ground for disbarment of Isserman. Accordingly, the former order of disbarment is set aside and the rule against Isserman to show cause is discharged.

MR. JUSTICE BURTON, with whom MR. JUSTICE REED and MR. JUSTICE MINTON join, dissents for the reasons stated in the opinion announced by Mr. Chief Justice Vinson, April 6, 1953, in *In re Isserman*, 345 U. S. 286.

MR. JUSTICE REED also calls attention to his dissent in *Sacher v. Association of the Bar*, 347 U. S. 388, 390.

THE CHIEF JUSTICE and MR. JUSTICE CLARK did not participate in the consideration or decision of this matter.

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The Chief Justice said :

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

No. 88. Margaret Shiver Williams, petitioner, *v.* Carolina Life Insurance Company et al. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. *Per Curiam*: The petition for writ of certiorari is granted and the judgment is reversed.

No. 106. Stapling Machines Co., appellant, *v.* A. H. Stone, Chairman, State Tax Commission of the State of Mississippi and J. E.

Stone, General Counsel for the State Tax Commission for the State of Mississippi. Appeal from the Supreme Court of Mississippi;

No. 116. Leo H. Bohling, appellant, *v.* Edward Corsi, Commissioner, and/or Division of Employment of the Department of Labor of the State of New York. Appeal from the Court of Appeals of New York; and

No. 152. Ira W. Jayne et al., Judges of the Circuit Court of Wayne County, Michigan, et al., appellants, *v.* City of Detroit et al. Appeal from the Supreme Court of Michigan. *Per Curiam*: The motions to dismiss are granted and the appeals are dismissed for the want of a substantial federal question.

No. 111. H. J. Harris, George W. Hartman, Olen B. Hiner, et al., appellants, *v.* John S. Battle, Governor of the Commonwealth of Virginia, et al. Appeal from the Supreme Court of Appeals of Virginia. *Per Curiam*: The motion to substitute Thomas B. Stanley as a party appellee in the place and stead of John S. Battle is granted. It appearing that the cause has become moot, the judgment of the Supreme Court of Appeals of Virginia is vacated and the cause is remanded for such proceedings as by that Court may be deemed appropriate. *United States v. Anchor Coal Co.*, 279 U. S. 812. Mr. Justice Reed would dismiss the appeal for lack of jurisdiction. *Norfolk Turnpike Co. v. Virginia*, 225 U. S. 264, 269. Since the Court, however, treats the appeal as properly before it, he votes to dismiss on the ground of mootness. The Chief Justice, Mr. Justice Black, and Mr. Justice Douglas are of the opinion that the case is not moot and that this Court should consider and decide the federal questions raised.

No. 115. William Forrest Trafton, appellant, *v.* State of Texas. Appeal from the Court of Criminal Appeals of Texas. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for the want of a substantial federal question. Mr. Justice Black is of the opinion that probable jurisdiction should be noted.

No. 167. Joseph Pomprowitz, a Sole Trader, Doing Business as L. C. L. Transit Company, et al., appellants, *v.* United States of America and Interstate Commerce Commission. Appeal from the United States District Court for the Eastern District of Wisconsin; and

No. 177. McGraw Electric Company et al., appellants, *v.* United States of America, Interstate Commerce Commission and the Akron, Canton & Youngstown Railroad Company, et al. Appeal from the United States District Court for the Eastern District of Missouri. *Per Curiam*: The motions to affirm are granted and the judgments are affirmed.

No. 176. Arkansas Fuel Oil Corporation, appellant, *v.* Rufus W. Fontenot, Collector of Revenue of the State of Louisiana. Appeal

from the Supreme Court of Louisiana. *Per Curiam*: The appeal is dismissed for the want of a substantial federal question.

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No. 6. B. Clinton Watson et ux., appellants, *v.* Employers Liability Assurance Corporation, Ltd., et al. The motion to dismiss is denied.

No. 7. Wilburn Boat Company et al., petitioners, *v.* Fireman's Fund Insurance Company. The motion for leave to file brief of Stephen V. Carey and others as *amici curiae* is denied.

No. 648, October Term, 1953. Lester Brand and Mary Brand, petitioners, *v.* Commissioner of Internal Revenue. The petition for writ of mandamus is denied.

No. 9, Original. The State of Texas, plaintiff, *v.* The State of New Mexico et al. The plaintiff's motion for leave to amend the prayer of its complaint is hereby referred to John Raeburn Green, Special Master, to hear the parties and report his opinion and recommendation as to whether the motion should be granted and whether if granted it would cure any defect of parties herein.

No. 11, Original. The State of Mississippi, plaintiff, *v.* The State of Louisiana. The motion of Eleanor R. Woolgar and Erma L. Richards for leave to intervene as codefendants is denied.

No. 162. United States of America, appellant, *v.* E. I. du Pont de Nemours and Company. Appeal from the United States District Court of Delaware. In this case probable jurisdiction is noted. The motion to clarify and define the assignment of errors is denied. Mr. Justice Clark took no part in the consideration or decision of these questions.

No. 171. Secretary of Agriculture of the United States, appellant, *v.* United States of America, Interstate Commerce Commission, et al.;

No. 172. Utah Poultry & Farmers Cooperative, Armour and Company, and Swift and Company, appellants, *v.* United States of America, Interstate Commerce Commission, et al.;

No. 282. Secretary of Agriculture of the United States, appellant, *v.* United States of America, Interstate Commerce Commission, et al.; and

No. 283. Utah Poultry & Farmers Cooperative, Armour and Company, and Swift and Company, appellants, *v.* United States of America, Interstate Commerce Commission, et al. Appeals from the United States District Court for the District of Utah. In these cases probable jurisdiction is noted. The cases are consolidated and a total of two hours allowed for oral argument.

No. 204. Society for Savings in the City of Cleveland, appellant, *v.* John W. Peck, Tax Commissioner of Ohio; and

No. 220. First Federal Savings and Loan Association of Warren, appellant, *v.* Stanley W. Bowers (Successor to John W. Peck) Tax Commissioner of Ohio. Appeals from the Supreme Court of Ohio. In these cases probable jurisdiction is noted and the cases are transferred to the summary calendar. The Solicitor General is invited to file a brief as *amicus curiae*. Mr. Justice Burton took no part in the consideration or decision of these questions.

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No. 10. The United States, petitioner, *v.* Olympic Radio and Television, Inc. Petition for writ of certiorari to the United States Court of Claims granted.

No. 32. State of California on Relation of Edmund G. Brown, Attorney General, et al., petitioners, *v.* St. Louis Union Trust Company, a Corporation Organized Under the Laws of the State of Missouri. Petition for writ of certiorari to the St. Louis Court of Appeals of Missouri granted.

No. 55. Indiana Department of State Revenue, Gross Income Tax Division, State of Indiana, petitioner, *v.* Mark E. Nebeker. Petition for writ of certiorari to the Supreme Court of Indiana granted.

No. 97. Lloyd Weber, Russell Davis, Walter Patrick, et al., petitioners, *v.* Anheuser-Busch, Inc. Petition for writ of certiorari to the Supreme Court of Missouri granted.

No. 125. Wayne Harsh, petitioner, *v.* Illinois Terminal Railroad Company. Petition for writ of certiorari to the Supreme Court of Illinois granted.

No. 131. J. W. Whitehouse, G. Orndorf, J. H. Sylvester, et al., petitioners, *v.* Illinois Central Railroad Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted.

No. 150. United States of America, ex rel. Audrey M. Toth, petitioner, *v.* Harold E. Talbott, Secretary of the United States Air Force. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit granted.

No. 153. Securities and Exchange Commission, petitioner, *v.* Drexel and Company. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted.

No. 163. Charles Lawlor and Mitchell Pantzer, Co-partners Trading as Independent Poster Exchange, petitioners, *v.* National Screen Service Corporation et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit granted.

No. 203. Frank Lewis, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit granted.

No. 213. Indian Towing Company, Inc., et al., petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted.

No. 261. Elizabeth R. Granville-Smith, petitioner, *v.* Edward Granville-Smith. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit granted.

No. 263. The United States of America and the Secretary of Commerce as Successor of the Chairman of the United States Maritime Commission, petitioners, *v.* California Eastern Line, Inc. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit granted.

No. 48. Louis Shomberg, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted and case transferred to the summary calendar.

No. 104. United States of America, petitioner, *v.* Richard Issac Menasche. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit granted and case transferred to the summary calendar.

No. 50. William A. Bisso, Jr., Receiver, New Orleans Coal and Bisso Towboat Co., petitioner, *v.* Inland Waterways Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted and case transferred to the summary calendar.

No. 70. Boston Metals Company, Formerly Named Boston Iron and Metal Company, as Owner of the Canadian Destroyer "St. Francis", petitioner, *v.* S/S "Winding Gulf" and Massachusetts Trustees of Eastern Gas and Fuel Associates. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit granted and case transferred to the summary calendar.

No. 210. United States of America, as Owner of the S. S. Christopher Gale, petitioner, *v.* Chris Nielson et al., Co-Partners Trading Under the Firm Name and Style of Dauntless Towing Line, as Owner of the Tug Dauntless #6. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted and case transferred to the summary calendar.

No. 69. Joe Valdez Gonzales, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit granted and case transferred to the summary calendar.

No. 164. Philip Andrew Witmer, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit granted and case transferred to the summary calendar.

No. 250. Anthony Tony Sicurella, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted and case transferred to the summary calendar.

No. 251. Robert Simmons, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted and case transferred to the summary calendar.

No. 80. Federal Trade Commission, petitioner, *v.* Rhodes Pharmaceutical Company, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted and case transferred to the summary calendar.

No. 105. Francis G. A. O'Neill, petitioner, *v.* The Baltimore and Ohio Railroad Company. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit granted and case transferred to the summary calendar.

No. 114. General American Investors Company, Inc., petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted and case transferred to the summary calendar.

No. 199. Commissioner of Internal Revenue, petitioner, *v.* Glenshaw Glass Company and William Goldman Theatres, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit granted and case transferred to the summary calendar.

No. 173. Amalgamated Clothing Workers of America et al., petitioners, *v.* The Richman Brothers Company. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit granted and case transferred to the summary calendar.

No. 230. James P. Mitchell, Secretary of Labor, United States Department of Labor, petitioner, *v.* Joyce Agency, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted and case transferred to the summary calendar.

No. 145. Carlos Marcello, petitioner, *v.* John M. Bonds, Officer in Charge, U. S. Immigration and Naturalization Service. Original petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted. Supplemental petition denied.

No. 157. Ryan Stevedoring Co., Inc., petitioner, *v.* Pan-Atlantic Steamship Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted. Motion for leave to file brief of National Association of Stevedores as *amicus curiae* denied.

No. 186. General Drivers, Warehousemen and Helpers, Local Union No. 89, et al., petitioners, *v.* The American Tobacco Company, Inc. Petition for writ of certiorari to the Court of Appeals of Kentucky granted. The Solicitor General is invited to file a brief setting forth the views of the National Labor Relations Board.

No. 236. Commonwealth of Pennsylvania, petitioner, *v.* Steve Nelson. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, granted. The Solicitor General is invited to file a brief setting forth the views of the Government. Motion of the respondent for leave to proceed in forma pauperis granted.

No. 95, Misc. Elie J. Boudoin, petitioner, *v.* Lykes Brothers Steamship Co., Inc. Motion for leave to proceed in forma pauperis granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted and case transferred to the appellate docket and placed on the summary calendar.

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No. 42. Edward Tillman, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 47. Ralph D. Pittman, petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 56. Smith-Douglass Company, Inc., petitioner, *v.* The United States; and

No. 60. United States, petitioner, *v.* Smith-Douglass Company, Inc. Petitions for writs of certiorari to the United States Court of Claims denied.

No. 57. National Beverage Laboratories, Inc., petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 58. Junior Toy Corporation, Peerless Tool and Engineering Company, et al., petitioners, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 59. Pacific Contact Laboratories, Inc., Morris Green and Lee W. Hoggan, petitioners, *v.* Solex Laboratories, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 61. Capital Transit Company, petitioner, *v.* Public Utilities Commission of the District of Columbia and Potomac Electric Power Company; and

No. 66. Potomac Electric Power Company, petitioner, *v.* Capital Transit Company. Petitions for writs of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 62. Gustaf Rensta, d/b/n/c/t/a of the Estate of Olof Zetterlund, Deceased, etc., et al., petitioners, *v.* Beverly Beach Properties, Inc., a Florida Corporation, et al. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 63. The Gideons International, a Corporation of Illinois, et al., petitioners, *v.* Bernard Tudor. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 65. Eleanor Brown, Bertha Allen, Edward Allen and Louis Brown, petitioners, *v.* Adele Brown. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 67. Hall Bros., et al., petitioners, *v.* City of Cleveland et al. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 68. Glo Co., an Illinois Corporation, petitioner, *v.* T. F. Murchison and Company, a Delaware Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 73. Sam Sweet, petitioner, *v.* United States of America;

No. 74. Nicholai Chomiak, petitioner, *v.* United States of America; and

No. 75. George Charnowola, petitioner, *v.* United States of America. Petitions for writs of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77. Excel Packing Company, Inc., petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 78. Neil S. McCarthy, Marguerite G. McCarthy, his wife, and Fred B. Huesman, et al., petitioners, *v.* City of Manhattan Beach, a Municipal Corporation. Petition for writ of certiorari to the Supreme Court of California denied.

No. 79. Las Vegas Merchant Plumbers Association, Merchant Plumbers Exchange, Inc., et al., petitioners, *v.* United States of America; and

No. 84. Ralph Alsup, petitioner, *v.* United States of America. Petitions for writs of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 82. Ernestine C. Siniscal and Vernie Reed, Administratrix of the Estate of Elmer A. Reed, Deceased, petitioners, *v.* United States of America, as Trustee and Guardian, etc. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 83. The Housing Authority of the City of Dallas, petitioner, *v.* Eddie Thomas et ux. Petition for writ of certiorari to the Supreme Court of Texas denied.

No. 85. Andrija Artukovic, petitioner, *v.* Rafo Ivancevic, Consul General of the Federal Peoples' Republic of Jugoslavia, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86. Colorado Interstate Gas Company, petitioner, *v.* Federal Power Commission. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 90. Martin E. Wolin, Individually, Martin E. Wolin, Ltd., and Chal Steel Corporation, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 91. John F. Williams, petitioner, *v.* Laurence B. Robbins, Administrator, Reconstruction Finance Corporation. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 92. George Schmidt, petitioner, *v.* The Crowell-Collier Publishing Company and Tucker Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 93. George Schmidt, petitioner, *v.* The Reader's Digest Association, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 94. George Schmidt, petitioner, *v.* Esquire, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 95. Faye B. Black, Administratrix of the Estate of Ernest B. Black, Deceased, petitioner, *v.* Harold A. Lockhart, Collector of Internal Revenue, Sixth District of Missouri. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 96. Compagnie Nationale Air France, petitioner, *v.* Edith Komlos, as Administratrix of the Goods, Chattels, and Credits of Emery Komlos, Deceased. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 98. R. D. Nesen, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 99. The United Corporation, petitioner, *v.* Securities and Exchange Commission. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 101. Victrylite Candle Co., a Wisconsin Corporation, et al., petitioners, *v.* United States of America. Petition for writ of cer-

tiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 102. Hotpoint Co., a Division of General Electric Company, a New York Corporation, petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 103. James S. Turner, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 107. Geigy Company, Inc., a Corporation, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 108. Aaron Borin, d/b/a Wichita Packing Company, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 110. Erick Rios Bridoux, petitioner, *v.* Eastern Air Lines, Inc. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 112. Mark Waldrip, petitioner, *v.* Hudson Sales Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 113. Frank Dolmage, petitioner, *v.* Chicago, Rock Island & Pacific Railroad Company. Petition for writ of certiorari to the Supreme Court of Minnesota denied.

No. 122. Billie Louise Harris, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 123. Alfred H. Osborne, petitioner, *v.* Arvid Owsley, Sheriff of Jackson County, Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 124. Local No. 3, United Packinghouse Workers of America, CIO, petitioner, *v.* Wilson & Co., Inc., and National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 128. Proctor Electric Corporation, petitioner, *v.* Maslo Manufacturing Corporation. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 129. San Juan Trading Company, Inc., petitioner, *v.* The Mexican Steamship Marmex, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 134. Gulf-Tide Stevedores, Inc., and Texas Employers' Insurance Association, petitioners, *v.* Hugh A. Voris, Deputy Commissioner. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 137. Illinois Commerce Commission, petitioner, *v.* Illinois Central Railroad Company. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 138. Excel Auto Radiator Company, petitioner, *v.* The Bishop and Babcock Manufacturing Company. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 139. Paul A. Straub & Co., Inc., petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals denied.

No. 141. Famous Realty, Inc., petitioner, *v.* James P. Mitchell, Secretary of Labor, United States Department of Labor. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 142. United Mine Workers of America et al., petitioners, *v.* Rudd Patton et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 143. Kearney-Trecker Employees Local 1083, U. A. W.-C. I. O., petitioner, *v.* National Labor Relations Board and Kearney and Trecker Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 144. Edgar Q. Collins, petitioner, *v.* Louise Collins. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 146. Ernest W. Mather, petitioner, *v.* Jonathan Woodner Company, a Corporation. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 148. Jacob Marcus, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 149. Harold Porter Glover et al., petitioners, *v.* The Officers and Minister of the Congregational Church of Hartford, Known as the Center Church. Petition for writ of certiorari to the Supreme Court of Errors of Connecticut denied.

No. 151. Samuel George Nilva et al., petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 154. Christian A. Johnson et al., petitioners, *v.* Securities and Exchange Commission and Electric Power and Light Corp. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 155. Mary H. Latta, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 156. Air Devices, Inc., petitioner, *v.* Air Factors, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 158. Quality Egg Shippers, Inc., and Herman Gross, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 160. Elie P. Aghnides, petitioner, *v.* Joseph J. Goodrie et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 165. Fort Worth and Denver Railway Company, petitioner, *v.* H. O. Prine. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 168. Fortee Properties, Inc., petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 169. Belle Marachowsky, etc., and J. H. Marachowsky, etc., petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 170. Charlie Sulli, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 178. Charles S. Roberts, Upon His Own Behalf and on Behalf of All Other Stockholders of Old Town Corporation, petitioner, *v.* Joseph S. Eaton, Old Town Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 181. Eveline McCullagh, petitioner, *v.* Houston Chronicle Publishing Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 187. Almerindo Portfolio, petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 188. Ennis M. Nichols, Individually and On Behalf of Other Stockholders of Long Island Lighting Company Similarly Situated, etc., petitioner, *v.* Long Island Lighting Company and Securities and Exchange Commission. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 192. United States of America, ex rel. Nicolo Impastato, petitioner, *v.* J. L. O'Rourke, District Director, Immigration and Natu-

ralization Service, Kansas City, Missouri. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 193. Mitchell S. Milliken and Dorothy Milliken, petitioners, *v.* Edwin Gill, Director of Internal Revenue for the District of North Carolina and the United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 194. Gregory Run Coal Company et al., petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 259. Commissioner of Internal Revenue, petitioner, *v.* B. H. Swaney and Sons, Inc., and Swaney Contracting Company. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 195. Eugene H. Conser, petitioner, *v.* The Atchison, Topeka and Santa Fe Railway Company. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 196. F. E. Harrison, petitioner, *v.* Paramount Pictures, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 197. J. C., N. C., and A. C. Hadjipateras, petitioners, *v.* The American Tobacco Company, Hellenic Lines, Ltd., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 198. William Silverman, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 200. The Texas Company, petitioner, *v.* United States of America, Catherine Bode, as Admx., etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 202. Parma Water Lifter Company, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 205. Commissioner of Internal Revenue, petitioner, *v.* Henrietta B. Goff et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 206. Commissioner of Internal Revenue, petitioner, *v.* Louis W. Ray and Julia Ray. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 207. Commissioner of Internal Revenue, petitioner, *v.* McCue Bros. and Drummond, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 208. F. O. Wilemon et al., petitioners, *v.* City and County of Dallas Levee Improvement District et al. Petition for writ of certiorari to the Court of Civil Appeals of Texas, Eighth Supreme Judicial District, denied.

No. 211. Jesus Laguana, petitioner, *v.* Archie Ansell, Acting Tax Commissioner and Acting Treasurer, Government of Guam, and United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 212. Sidney S. Levine, as Executor Under the Last Will and Testament of Anna M. Kane, Deceased, petitioner, *v.* United States of America et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 214. Industrial Commissioner of the State of New York, petitioner, *v.* Sword Line, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 216. Chicago, Burlington and Quincy Railroad Company, petitioner, *v.* Edward Bonnier. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 217. Ray Brennan, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 218. Standard Gas and Electric Company, petitioner, *v.* Securities and Exchange Commission et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 221. Murphy Corporation and Natural Gas and Oil Corporation, petitioners, *v.* Rufus W. Fontenot, Collector of Revenue, State of Louisiana. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 222. Howard R. Benson and Robert H. Benson, Doing Business as Benson Scaffold Manufacturing Company, petitioners, *v.* A. F. Hutto and Newark Insurance Company. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 223. Ohio Water Service Company, petitioner, *v.* The Mahoning Valley Sanitary District. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 224. City of Niles, Ohio, petitioner, *v.* The Mahoning Valley Sanitary District. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 225. Harry Baetich, petitioner, *v.* Oveta Culp Hobby, Secretary, Department of Health, Education, and Welfare. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 226. Delvaille H. Theard, petitioner, *v.* Louisiana State Bar Association. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 227. Dobry Flour Mills, Inc., petitioner, *v.* Chicago, Rock Island and Pacific Railroad Company. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 228. Dave Kaye and Solly Isaacs, petitioners, *v.* State of Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 229. Almon H. Rickenbaker, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 231. Estate of William Scadron, Deceased, Dorothy Scadron, Administratrix, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 234. Ralph L. Reynolds, petitioner, *v.* S. Ernest Roll, District Attorney. Petitioner for writ of certiorari to the District Court of Appeal of California, Second Appellate District, denied.

No. 235. Thomas Floyd Robinson, petitioner, *v.* State of Alabama. Petition for writ of certiorari to the Court of Appeals of Alabama denied.

No. 238. Hudspeth County Conservation and Reclamation District No. 1, et al., petitioners, *v.* Howard E. Robbins et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 239. Homedale Tractor & Equipment Co., a Co-Partnership Consisting of Cyril W. Radcliffe and Wilbur W. Mancke, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 240. Carroll Vocational Institute, L. L. Cowart and H. M. Atwood, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 241. Morton Q. Klein and Stanley B. Cooper, Surviving Trustees of Consorto Construction Co., Inc., Bankrupt, petitioners, *v.* Equity Investment Company. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 242. Hillcrea Export and Import Co., Inc., et al., petitioners, *v.* Universal Insurance Company. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 243. William Arlow Butler, petitioner, *v.* The Superior Court of the State of California, County of San Bernardino. Petition for writ of certiorari to the Supreme Court of California denied.

No. 244. Rivercliff Company, Inc., petitioner, *v.* W. E. Linebarger and R. W. Linebarger, d/b/a Linebarger Construction Co., et al. Petition for writ of certiorari to the Supreme Court of Arkansas denied.

No. 245. Oliver V. Kessler, petitioner, *v.* Fauquier National Bank, as Administrator, C. T. A. of the Estate of Rose Meredith Kessler, Deceased, et al. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 247. United States of America, petitioner, *v.* Southeastern Oil Florida, Inc., and Paco Tankers, Inc. Petition for writ of certiorari to the United States Court of Claims denied.

No. 248. United States of America, petitioner, *v.* Norton Clapp. Petition for writ of certiorari to the United States Court of Claims denied.

No. 253. Mary Ann O'Brien, petitioner, *v.* Equitable Life Assurance Society of the United States, a Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 254. John Everett Jensen, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 255. The Blackfeet and Gros Ventre Tribes of Indians, Residing upon the Blackfeet and Fort Belknap Reservations in the State of Montana, petitioners, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 256. Harry M. Ajamian, Additional Defendant con Counterclaim of Isidore Schlanger, et al., etc., petitioner, *v.* Isidore Schlanger et al. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 257. Hoxsey Cancer Clinic, a Partnership and Harry M. Hoxsey, an Individual, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 258. Mrs. Aaron (Celia) Funk, petitioner, *v.* Seaboard Air Line Railway Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 264. Interstate Commerce Commission, petitioner, *v.* Allen E. Kroblin, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 265. Joseph S. Baysek, Jr., petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 266. Luther C. Hess and Alaska Juneau Gold Mining Company, petitioner, *v.* Karl F. Dewey, Commissioner of Taxation of the Territory of Alaska. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 267. New York Life Insurance Company, petitioner, *v.* Eugene M. Johnson, Administrator of the Estate of Max Johnson, Deceased. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 268. Jack C. Vaughan, petitioner, *v.* Brandon, Brandon, Hornsby & Handy, and the Texas Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 269. Adolph B. Spreckels, Jr., petitioner, *v.* People of the State of California. Petition for writ of certiorari to the District Court of Appeal of California, Fourth Appellate District, denied.

No. 272. Rose M. Anderson et al., petitioners, *v.* Douglas McKay, Secretary of the Interior. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 273. International Aluminum Window Corporation et al., petitioners, *v.* Tito A. Ferri. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 275. Dr. Salsbury's Laboratories, petitioner, *v.* I. D. Russell Co. Laboratories, a Partnership Composed of I. D. Russell and Bertha V. Russell. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 276. The Superior Oil Company and the Pure Oil Company, petitioners, *v.* Rufus W. Fontenot, Collector of Revenue of the State of Louisiana. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 46. Frank Bernard Kuczynski, petitioner, *v.* John C. Burke, Warden, Wisconsin State Prison, Waupun, Wisconsin. Motion to dispense with printing petition and record granted. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. 72. Raymond M. Braddock, petitioner, *v.* The People of the State of California. Motion to dispense with printing record granted.

Petition for writ of certiorari to the Supreme Court of California denied.

No. 127. Mary Jean Parsons, petitioner, *v.* The State of Texas. Motion to dispense with printing record granted. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 132. Antanas Juratis Rumsa, petitioner, *v.* United States of America. Motion to dispense with printing record granted. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 140. Fred J. Redding, petitioner, *v.* The State of Texas. Motion to dispense with printing record granted. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 147. Mrs. Edna Reynolds Reese et al., petitioners, *v.* Frank B. Wood et al. Motion to dispense with printing record granted. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 76. John A. Venzel, petitioner, *v.* United States Steel Company. Motion for leave to file brief of International Union, United Automobile, Aircraft and Agricultural Implement Workers of America, UAW-CIO, as *amicus curiae* denied. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 136. Peoples Deposit Bank and Trust Company, Paris, Kentucky, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Reed and Mr. Justice Frankfurter took no part in the consideration or decision of this application.

No. 166. D. L. Piazza Company, a Partnership Composed of David L. Piazza, Samuel L. Piazza and Providence Piazza, Co-Partners, petitioner, *v.* West Coast Line, Inc., et al. Motion to strike the brief for the private respondents granted. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Black is of the opinion certiorari should be granted.

No. 180. Roy D. Price, petitioner, *v.* The Atchison, Topeka and Santa Fe Railroad Company. Petition for writ of certiorari to the Supreme Court of California denied. Mr. Justice Black and Mr. Justice Douglas are of the opinion certiorari should be granted. The Chief Justice took no part in the consideration or decision of this application.

No. 182. Retail Clerks International Association and Retail Clerks Union, Local 648, et al., petitioners, *v.* National Labor Relations Board. Motion for leave to file brief of Safeway Stores Inc. as *amicus curiae* denied. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 183. Santo Caminito, petitioner, *v.* The People of the State of New York. Petition for writ of certiorari to the Court of Appeals of New York denied. Mr. Justice Black and Mr. Justice Douglas are of the opinion certiorari should be granted.

No. 201. Frank Kuchin, petitioner, *v.* Chicago and North Western Railway Company. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Black and Mr. Justice Douglas are of the opinion certiorari should be granted.

No. 219. William Charles Jason, Jr., petitioner, *v.* Arthur E. Summerfield et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Black and Mr. Justice Douglas are of the opinion certiorari should be granted.

No. 189. Paul E. Kern, a Holder of Kentucky Fuel Gas Corporation First Mortgage Bonds, petitioner, *v.* Ben Williamson, Jr., as Trustee of Inland Gas Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Reed took no part in the consideration or decision of this application.

No. 232. Beatrice Miller Montanye, petitioner, *v.* The State of New York and the Town of Webb. Motion to dispense with printing petition granted. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 237. Liberale Parrino, petitioner, *v.* United States of America. Motion to dispense with printing petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 260. Robert G. Thompson, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Black is of the opinion certiorari should be granted.

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No. 280, October Term, 1953. Phillips Petroleum Company, petitioner, *v.* State of Wisconsin et al.; and

No. 281, October Term, 1953. State of Texas et al., petitioners, *v.* State of Wisconsin et al. Motion for leave to file brief of Independent Petroleum Assn. et al. as *amici curiae* denied. Motion in No. 281 for leave to file a supplemental rehearing denied. Petitions for rehearing denied.

No. 605, October Term, 1953. George Washington Pierce, petitioner, *v.* American Communications Company, Inc. Motion for

leave to file certified copies of court records denied. Motion for leave to file a second petition for rehearing denied.

No. 623, October Term, 1953. Ferroline Corporation, petitioner, *v.* General Aniline and Film Corporation. Second petition for rehearing denied.

No. 635, October Term, 1953, Camilo Weston Leyra, petitioner, *v.* Wilfred L. Denno, Warden of Sing Sing Prison, Ossining, New York. Petition for rehearing denied.

No. 407, October Term, 1953. Robert Norbert Galvan, petitioner, *v.* U. L. Press, Officer in Charge, Immigration and Naturalization Service, etc.;

No. 476, October Term, 1953. Braniff Airways, Incorporated, appellant, *v.* Nebraska State Board of Equalization and Assessment et al.;

No. 666, October Term, 1953. State of Ohio ex rel. George S. Hawke, appellant, *v.* Ted W. Brown, as Secretary of State of Ohio, and as Chief Election Officer of Ohio;

No. 698, October Term, 1953. Carl A. Hillgren, petitioner, *v.* Kwikset Locks, Inc., Adolph Schoepe and Karl Reinhard;

No. 701, October Term, 1953. Dora Lee Bowman, Administratrix of the Estate of Fred E. Bowman, etc., petitioner, *v.* Joanne W. Bowman;

No. 724, October Term, 1953. James J. Breslin, petitioner, *v.* The People of the State of New York;

No. 727, October Term, 1953. Katherine Shellhammer, General Administratrix of the Estate of Walter R. Shellhammer, Deceased, petitioner, *v.* Lehigh Valley Railroad Company, a Corporation;

No. 736, October Term, 1953. Gretchen McRae, petitioner, *v.* Tighe E. Woods, Acting Housing Expediter, Office of Housing Expediter;

No. 797, October Term, 1953. Pherne N. Miller, petitioner, *v.* Charles E. Thorn and Katherine S. Thorn, his wife;

No. 509, Misc., October Term, 1953. Rodney F. Wheeler, petitioner, *v.* United States of America;

No. 521, Misc., October Term, 1953. Freddie Nation, petitioner, *v.* People of the State of California;

No. 555, Misc., October Term, 1953. R. L. Harding, petitioner, *v.* P. V. Cavanaugh et al.;

No. 575, Misc., October Term, 1953. Henry Hughes, petitioner, *v.* Robert A. Heinze, Warden;

No. 577, Misc., October Term, 1953. Fred Tate, petitioner, *v.* People of the State of California;

No. 589, Misc., October Term, 1953. William A. Neigut, petitioner, *v.* United States of America;

No. 596, Misc., October Term, 1953. William B. Neal, petitioner, *v.* Ross V. Randolph, Warden; and

No. 606, Misc., October Term, 1953. Hilliard Sanders, petitioner, *v.* Edwin B. Swope, Warden. Petitions for rehearing denied.

No. 384, Misc., October Term, 1953. Bert Crabtree, petitioner, *v.* United States of America. Motion for leave to file petition for rehearing denied.

No. 502, Misc., October Term, 1953. Gerhard A. Puff, petitioner, *v.* United States of America. Motion for leave to file a second petition for rehearing denied.

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No. 4, Misc. Jesse James Gilbert, petitioner, *v.* Robert A. Heinze, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. 5, Misc. U. S. Grant Thompson, petitioner, *v.* Ralph N. Eidson, Warden. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 6, Misc. Charles Ray Berryman, petitioner, *v.* John R. Cranor, Supt. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 7, Misc. George W. Rhone, petitioner, *v.* Commonwealth of Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 8, Misc. James Douglas, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 9, Misc. Henry Howard Moore, petitioner, *v.* People of the State of New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Department, denied.

No. 10, Misc. James A. Sprouse, Jr., petitioner, *v.* State of Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 11, Misc. Sam Miner, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois, denied.

No. 12, Misc. Ernest Brown, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 13, Misc. Frank Hashmall, petitioner, *v.* State of Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 14, Misc. Charles Arthur Jenkins, petitioner, *v.* P. J. Madigan, Acting Warden, United States Penitentiary, Terre Haute, Indiana. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 15, Misc. Sam Sherman, petitioner, *v.* People of the State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 16, Misc. Henry E. Hansen, petitioner, *v.* State of Wisconsin et al. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. 17, Misc. Douglas F. Lewis, petitioner, *v.* State of Maine. Petition for writ of certiorari to the Supreme Judicial Court of Maine denied.

No. 19, Misc. Cecil F. Paulson, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Will County, Illinois, denied.

No. 21, Misc. Ann Rousseau, petitioner, *v.* Virginia Hurtado, Individually and as Executrix, etc., et al. Petition for writ of certiorari to the District Court of Appeal of California, First Appellate District, denied.

No. 23, Misc. Clifford Funkhouser, petitioner, *v.* Loew's Incorporated. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 24, Misc. Clarence Shell, petitioner, *v.* State of Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 26, Misc. Wilbur O. Archie, petitioner, *v.* Shell Oil Company, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 29, Misc. James Wilson, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Will County, Illinois, denied.

No. 30, Misc. Cicero West, petitioner, *v.* State of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 32, Misc. Roy R. Stewart, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 33, Misc. Lendal L. Lair, petitioner, *v.* Ross V. Randolph, Warden. Petition for writ of certiorari to the Circuit Court of Randolph County, Illinois, denied.

No. 35, Misc. James Fair, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois, denied.

No. 36, Misc. Houston Collins, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 37, Misc. Ulysses Campbell, petitioner, *v.* Orel J. Skeen, Warden. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 39, Misc. Frank Buzzie, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the District Court of Appeal of California, Fourth Appellate District, denied.

No. 40, Misc. Gerold Wall, petitioner, *v.* People of the State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 41, Misc. Edward Kalinowski, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois, denied.

No. 42, Misc. Louis Hargraves, petitioner, *v.* John R. Cranor, Superintendent, Washington State Penitentiary. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 43, Misc. Nathaniel Firmstone, petitioner, *v.* Charles G. Day, Warden. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 44, Misc. Benjamin Hudson, petitioner, *v.* Charles G. Day, Warden. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 45, Misc. Leonardo Salemi, petitioner, *v.* People of the State of New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 46, Misc. Walter Winston, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 48, Misc. Ralph Weber, petitioner, *v.* State of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 50, Misc. Eugene Senters, petitioner, *v.* Ross V. Randolph, Warden. Petition for writ of certiorari to the Circuit Court of Randolph County, Illinois, denied.

No. 52, Misc. Clarence William Meehan, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the District Court of Appeal of California, First Appellate District, denied.

No. 58, Misc. Howell Robinson, petitioner, *v.* W. Frank Smyth, Jr., Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 59, Misc. Donald C. Rooks, petitioner, *v.* O. B. Ellis, General Manager of the Texas Prison System. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 61, Misc. Ennis Foster, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 63, Misc. Wendell Robert Ross, petitioner, *v.* State of Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 64, Misc. Clyde Wagner, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 65, Misc. Charley Spry, petitioner, *v.* Orel J. Skeen, Warden. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 66, Misc. Curtis J. Hurt, petitioner, *v.* R. P. Balkcom, Jr., Warden. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 70, Misc. Stephen Novak, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 71, Misc. Thomas Rowan, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 72, Misc. Wilfred Biloche, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 73, Misc. Lucius Webb, petitioner, *v.* State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois and Criminal Court of Cook County, Illinois, denied.

No. 74, Misc. Walter F. Meyer, petitioner, *v.* State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 75, Misc. Carlos Rodriguez, petitioner, *v.* People of the State of New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, First Department, denied.

No. 79, Misc. Lula Rimes Hall, a Widow, petitioner, *v.* B. A. Williams and Constance Williams. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 81, Misc. William MacLaren, petitioner, *v.* People of the State of New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 82, Misc. Lawrence O'Connell, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 84, Misc. Grant F. Casey, petitioner, *v.* State of Indiana. Petition for writ of certiorari to the Circuit Court of La Porte County, Indiana, denied.

No. 85, Misc. Robert Williams, petitioner, *v.* State of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 87, Misc. Carlisle T. Clark, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 88, Misc. Eva P. DeFoe, petitioner, *v.* National Capital Bank. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 89, Misc. Charles T. Streeter, petitioner, *v.* State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 90, Misc. Jean A. H. Barkeij, petitioner, *v.* Lockheed Aircraft Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 94, Misc. Joseph O'Leary, Receiver, Akron, Ohio, petitioner, *v.* Harold E. Turner, and the Firestone Bank, Akron, Ohio. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 99, Misc. Albert Williams, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois, denied.

No. 100, Misc. Livious Hall, petitioner, *v.* W. F. Smyth, Jr., Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 101, Misc. Francis John Dunbar, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 102, Misc. Robert Napier, petitioner, *v.* State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 103, Misc. Walter Thomas Byrd, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 104, Misc. Edwin Eugene Hanley, petitioner, *v.* John R. Cranor, Superintendent of Washington State Penitentiary. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 105, Misc. George H. Orr, petitioner, *v.* State of South Carolina. Petition for writ of certiorari to the Supreme Court of South Carolina denied.

No. 107, Misc. Reuben B. Weitz, petitioner, *v.* Robert A. Heinze, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. 108, Misc. Charles Brewster, petitioner, *v.* Orel J. Skeen, Warden. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 109, Misc. Geraldine V. DeFoe, petitioner, *v.* National Capital Bank. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 114, Misc. Lethonia Stephens, petitioner, *v.* United States Steel Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 115, Misc. Abraham Elisha Stoner, petitioner, *v.* Ross V. Randolph, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 117, Misc. Richard E. Miller and Gertrude Brannum, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 120, Misc. Robert G. LeMaster, petitioner, *v.* O. B. Ellis, General Manager, Texas Prison System, et al. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 125, Misc. Vernon Newton, petitioner, *v.* William Bannan, Warden, et al. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 128, Misc. James Anthony Cox, petitioner, *v.* Harley O. Teets, Warden, et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 129, Misc. Welba W. Whitacre, petitioner, *v.* Orel J. Skeen, Warden. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 130, Misc. William Richter, petitioner, *v.* C. J. Burke, Warden. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 135, Misc. Edward R. Lovings, petitioner, *v.* State of Nebraska. Petition for writ of certiorari to the Supreme Court of Nebraska denied.

No. 2, Misc. Joseph Paul Cato, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the Supreme Court of California denied without prejudice to the petitioner's rights under the facts alleged to prosecute an appeal in the California state courts in accordance with principles announced in *People v. Slobodion*, 30 Cal. 2d 362, 181 P. 2d 868. The Chief Justice took no part in the consideration or decision of this application.

No. 53, Misc. Joseph Sheffield, petitioner, *v.* State of Louisiana. Petition for writ of certiorari to the Supreme Court of Louisiana

denied without prejudice to petitioner to apply to the appropriate United States District Court for a writ of habeas corpus.

No. 111, Misc. Harold Roland Christoffel, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Clark took no part in the consideration or decision of this application.

No. 178, Misc. United States of America *ex rel.* Theodore Elliott, petitioner, *v.* Edward J. Hendricks, Deputy Commissioner, Department of Public Welfare. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Mr. Justice Douglas is of the opinion certiorari should be granted.

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No. 18, Misc. Robert W. Miller, petitioner, *v.* George W. Humphrey, Warden;

No. 20, Misc. Jesse Collins, petitioner, *v.* C. H. Looney, Warden;

No. 54, Misc. Jimmie Darnell, petitioner, *v.* C. H. Looney, Warden;

No. 57, Misc. Floyd Page, petitioner, *v.* Department of Corrections and Adult Authority of California;

No. 106, Misc. Leonard H. Mims, Jr., petitioner, *v.* C. H. Looney, Warden;

No. 112, Misc. Gerald Wayne Barnes, petitioner, *v.* Goodwin B. Knight, et al.;

No. 113, Misc. Willie Williams, petitioner, *v.* People of the State of Michigan;

No. 119, Misc. Frederick William Morgan, petitioner, *v.* State of Michigan;

No. 123, Misc. *Ex parte* Joseph C. Smith, petitioner; and

No. 126, Misc. *Ex parte* Emil Sztwiertnia, petitioner. Motions for leave to file petitions for writs of habeas corpus denied.

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No. 76, Misc. *Ex parte* in the matter of Holland Compton, petitioner;

No. 77, Misc. Cyrus L. Lewis, petitioner, *v.* Attorney General of the United States; and

No. 122, Misc. James Glisson, petitioner, *v.* State of Michigan, et al. Motions for leave to file petitions for writs of mandamus denied.

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No. 78, Misc. Paul Woodward Brink, petitioner, *v.* United States of America; and

No. 116, Misc. Merritt B. Schuyler, petitioner, *v.* People of the State of New York et al. Motions for leave to file petitions for writs of certiorari denied.

No. 91, Misc. James Slage, petitioner, *v.* William H. Bannan, Warden. Motions for leave to file petitions for writs of certiorari and habeas corpus denied.

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No. 6. B. Clinton Watson et ux., appellants, *v.* Employers Liability Assurance Corporation, Ltd., et al. Argued by Mr. Richard H. Switzer and Mr. Cleve Burton for the appellants and petitioners and by Mr. Benjamin C. King for the appellee and respondent Employers Liability Assurance Corporation, Ltd.

No. 11. Lumbermen's Mutual Casualty Company, petitioner, *v.* Florence R. Elbert. Argued by Mr. Charles L. Mayer for the petitioner and by Mr. John M. Madison and Mr. Whitfield Jack for the respondent.

No. 7. Wilburn Boat Company et al., petitioners, *v.* Fireman's Fund Insurance Company. Argument commenced by Mr. Theodore G. Schirmeyer for the petitioners.

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Adjourned until tomorrow at 12 o'clock.

The day call for Friday, October 15, will be as follows: Nos. 7, 19, 20, and 21.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

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Helen R. Cassidy, of New York, N. Y., on motion of Mr. Charles Sylvanus Rhyne; William R. Joyce, Jr., of New York, N. Y., on motion of Mr. Calvin H. Cobb, Jr.; Mason A. Bailey, of Madera, Calif., on motion of Mr. Charles E. Sells; Sanford Alexander Peysner, of New York, N. Y., and T. Stanley Bloch, of New York, N. Y., on motion of Mr. Theodore Harold Haas; Clifford H. Searl, of Syracuse, N. Y., on motion of Mr. Henry S. Fraser; Samuel A. Greenburg, of Alhambra, Calif., on motion of Mr. Roger E. Johnson; Joseph Schwartz, of New York, N. Y., on motion of Mr. Earl G. Spiker; Mr. Henry R. Shields, of New York, N. Y., Nathan Bilsky, of New York, N. Y., Samuel L. Slutzky, of Peekskill, N. Y., and Charles Paul Ben, of Syracuse, N. Y., on motion of Mr. Milton I. Weintraub; Nathan Kestnbaum, of New York, N. Y., on motion of Mr. Irving R. M. Panzer; and Ames Crawford, of Los Angeles, Calif., on motion of Mr. Vernon Harden Doane, were admitted to practice.

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No. 7. Wilburn Boat Company et al., petitioners, *v.* Fireman's Fund Insurance Company. Argument continued by Mr. Edward B. Hayes for the respondent and concluded by Mr. Mark Martin for the petitioners.

No. 19. National Union of Marine Cooks and Stewards, a Voluntary Association, petitioner, *v.* George Arnold et al. Argued by Mr. Norman Leonard for the petitioner and by Mr. John Geisness for the respondents.

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Adjourned until Monday, October 18, next, at 12 o'clock.

The day call for Monday, October 18, will be as follows: Nos. 20, 21, 39, and 22.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

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L. Berwyn Ullstrom, of Falls Church, Va., Jerome L. Silverstein, of Nashua, N. H., David W. Richter, of Albert Lea, Minn., and Harlan Pomeroy, of Stamford, Conn., on motion of Mr. Solicitor General Simon E. Sobeloff; Frederick R. Tourkow, of Fort Wayne, Ind., on motion of Mr. Joseph H. Lesh; Vernon B. Kassebaum, of Kansas City, Mo., on motion of Mr. James P. Kem; Donald W. Ogilbee, of Casper, Wyo., on motion of Mr. Bradford Ross; Raymond A. Ballard, of Detroit, Mich., Justin Lewis Giltner, of Detroit, Mich., Romaine Chapin Rice, of Detroit, Mich., Matry G. Thomas, of Detroit, Mich., William F. Koney, of Detroit, Mich., Raymond Anthony Regner, of Detroit, Mich., Albert William Schohl, of Grosse Pointe Woods, Mich., and William J. Weber, of Huntington Woods, Mich., on motion of Mr. Reginald Carl Harmon; Knox Bigham, of Nashville, Tenn., on motion of Mr. Nat Tipton; Nathan Korn, of Brooklyn, N. Y., on motion of Mr. John L. Ingoldsby, Jr.; Elisha K. Amos, of Lexington, Ind., on motion of Mr. Richard F. Ralph; Arthur M. Williams, Jr., of Columbia, S. C., on motion of Mr. Harry A. Poth, Jr.; Robert P. Boyle, of Oklahoma City, Okla., on motion of Mr. H. P. Noggle; Edward R. Moran, of Toledo, Ohio, on motion of Mr. Mac Asbill, Jr.; Vincent P. Biunno, of Newark, N. J., Fred W. Peel, of Washington, D. C., and Edmund Mancusi-Ungaro, of Newark, N. J., on motion of Mr. Charles R. Johnston; Edward Carmack Cochran, of Nashville, Tenn., on motion of Mr. Francis H. Caskin 3d; Robert H. Shutan, of Beverly Hills, Calif., on motion of Mr. J. Roger Wollenberg; Hyman Neil Garson, of Bethesda, Md., on motion of Mr. Samuel R. Howell; Martin A. Forman, of Philadelphia, Pa., on motion of Mr. Arden L. Andresen; Harold D. Reed, of Denver, Colo., and Frank A. Bruno, of Denver, Colo., on motion of Mr. Sumner M. Redstone; Clarence A. Rogers, of Santa Barbara, Calif., on motion of Mr. Robert E. Lynch; Robert B. L. Murphy, of Madison, Wis., on motion of Mr. Frank W. Kuehl; William E. Kinnear, of Beaumont, Tex., on motion of Mr. Irvin H. Rimel; Elton L. French, of St. Louis, Mo., on motion of Mr. Marx Leva; David E. Feller, of Washington, D. C., on motion of Mr. Philip Elman; and David Loegler, of Cleveland, Ohio, on motion of Mr. William H. Thomas, were admitted to practice.

The Chief Justice said:

"The orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

No. 130. International Harvester Company, appellant, *v.* State of Minnesota. Appeal from the Supreme Court of Minnesota. *Per curiam*: The appeal is dismissed for the want of a substantial federal question.

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No. 159. United States of America, appellant, *v.* Ernest King Bramblett. Appeal from the United States District Court for the District of Columbia. In this case probable jurisdiction is noted. The Chief Justice took no part in the consideration or decision of this question.

No. 184. Mac Q. Williamson, Attorney General of the State of Oklahoma, et al., appellants, *v.* Lee Optical of Oklahoma, Inc., et al.; and

No. 185. Lee Optical of Oklahoma, Inc., et al., appellants, *v.* Mac Q. Williamson, Attorney General of the State of Oklahoma. Appeals from the United States District Court for the Western District of Oklahoma. In these cases probable jurisdiction is noted and the cases are consolidated for argument.

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No. 179. Cecil L. Courtney, Philip T. Ferris, and Ray Parks, petitioners, *v.* Ty Lockett. Petition for writ of certiorari to the Supreme Court of Kansas granted.

No. 301. Engine Air Service, Inc., Lawrence A. Hauft, Lena P. Hauft, et al., petitioners, *v.* Israel G. Halpert, Trustee in Bankruptcy of the Carburetor Corporation, Bankrupt. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted.

No. 110, Misc. Aubry Williams, petitioner, *v.* State of Georgia. Motion for leave to proceed in forma pauperis granted. Petition for writ of certiorari to the Supreme Court of Georgia granted and case transferred to the appellate docket.

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No. 81. Kwikset Locks, Inc., petitioner, *v.* Carl A. Hillgren. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 174. Patsy Pillo, petitioner, *v.* State of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 277. Fireman's Fund Indemnity Company, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 278. Ralph L. Born, petitioner, *v.* R. J. Laube, Administrator of the Estate of George Cease, Deceased, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit Court denied.

No. 279. Walter J. Sawyer, petitioner, *v.* State of Wisconsin. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. 280. Ray B. Wells et al., petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 284. Marie Bettinger and Lawrence E. Bettinger, and Clara Egge and Lillian Hanson, petitioners, *v.* Northwestern National Casualty Company and Northwestern National Insurance Company. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 289. Prudence-Bonds Corporation (New Corporation) et al., petitioners, *v.* Chemical Bank & Trust Company, Trustee. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 291. William R. Bertelsen, petitioner, *v.* Brigadier General James B. Cooney. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 292. The First Trust and Savings Bank of Zanesville, Ohio, petitioner, *v.* Fidelity-Philadelphia Trust Company. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 293. United States of America, ex rel. Rocco Lo Duca, petitioner, *v.* Marcus T. Neely, Director of Immigration and Naturalization, U. S. Department of Justice, Chicago District. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 294. Paul H. Hulahan, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 295. Franklin B. Bowes et al., petitioners, *v.* City of Chicago, a Municipal Corporation, et al. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 296. Gross Income Tax Division of the State of Indiana et al., petitioners, *v.* Warner Bros., Pictures Distributing Corporation. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 297. United States of America, petitioner, *v.* Simon J. Katz et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 298. Western Maryland Railway Company, petitioner, *v.* Commonwealth of Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Middle District, denied.

No. 299. Ruth H. Reed, petitioner, *v.* Charles A. Reed, Miami Retreat Foundation, Miami Retreat, Inc., et al. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 300. Harris S. Campbell, petitioner, *v.* Commissioner of Patents. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals denied.

No. 303. Metropolitan Petroleum Corp. and Herbert B. Moller, petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals denied.

No. 304. National Textile and Manufacturing Co., Inc., petitioner, *v.* The Pennsylvania Railroad Company. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 314. Roy Rogers, petitioner, *v.* Republic Pictures Corporation et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 315. Gene Autry, petitioner, *v.* Republic Productions, Inc., a Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

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No. 146, Misc. Robert Lee Braden, petitioner, *v.* State of Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 163, Misc. Maurice Allen, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 172, Misc. Joe Doyle Banning, petitioner, *v.* C. H. Looney, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

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The Court will take a recess from Monday, October 25th, until Monday, November 8th, next.

No. 20. James R. Ellis, as President of the Yonkers Committee for Peace, an Unincorporated Association, petitioner, *v.* William Dixon et al., as Members of the Board of Education of the City of Yonkers, etc. Argued by Mr. Emanuel Redfield for the petitioner, by Mr. Daniel T. Scannell for the City of New York as *amicus curiae*, and by Mr. J. Raymond Hannon for the respondents.

No. 21. Ray Brooks, petitioner, *v.* National Labor Relations Board. Argued by Mr. Erwin Lerten for the petitioner and by Mr. David P. Findling for the respondent. Leave granted petitioner to file reply brief by Thursday, next.

No. 39. William C. Chandler, petitioner, *v.* Warden, Fretag. Argued by Mr. Earl E. Leming for the petitioner and by Mr. Knox Bigham for the respondent.

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Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, October 19, will be as follows: Nos. 39, 22, 23, and 24.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

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Orme Lewis, of Phoenix, Ariz., and Charles M. H. Crehore, of Phoenix, Ariz., on motion of Mr. Solicitor General Simon E. Sobeloff; William C. Worthington, of Norfolk, Va., on motion of Mr. Royal E. Jackson; Miles Gray, of Springfield, Ill., on motion of Mr. Charles J. Zinn; Bert C. Cheatham, of Evansville, Ind., on motion of Mr. Leon L. Sclawy; Harry J. Chernock, of New York, N. Y., on motion of Mr. Edwin Yourman; Charles S. Adams, of Covington, Ky., on motion of Mr. James Elden McFarland; Ned K. Zartman, of Kansas City, Mo., on motion of Mr. Myron C. Baum; Charles B. Snow, of Jackson, Miss., and Junior O'Mara, of Jackson, Miss., on motion of Mr. James W. Cassidy, Jr.; Charles E. Heming, of New York, N. Y., and Maurice C. Greenbaum, of New York, N. Y., on motion of Mr. Edward S. Greenbaum; James Wallace Hengelbrok, of Cincinnati, Ohio, on motion of Mr. Alvin O. West; and John B. Culbertson, of Greenville, S. C., on motion of Mr. Aubrey E. Robinson, Jr., were admitted to practice.

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No. 22. Samuel Berman and Solomon H. Feldman, Executors of the Estate of Max R. Morris, Deceased, appellants, *v.* Andrew Parker, John A. Remon, James E. Colliflower, et al. Argued by Mr. James C. Toomey and Mr. Joseph H. Schneider for the appellants and by Mr. Solicitor General Sobeloff for the appellees. (Reply brief to come by Thursday.)

No. 23. Robert A. McAllister, petitioner, *v.* United States of America. Argued by Mr. Jacob Rassner for the petitioner and by Mr. Ralph S. Spritzer for the respondent.

No. 24. Commissioner of Internal Revenue, petitioner, *v.* Estate of Louis Sternberger, The Chase National Bank of the City of New York, Executor. Argument commenced by Miss Melva M. Graney for the petitioner.

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Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, October 20, will be as follows: Nos. 24, 18, 37, and 25.

## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

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Joseph N. Marcantel, of Shreveport, La., W. Arthur Garrity, Jr., of Boston, Mass., Paul G. Counihan, of Concord, Mass., and Lawrence J. Latto, of Arlington, Va., on motion of Mr. Marvin E. Frankel; Emory S. Naylor, Jr., of Chicago, Ill., on motion of Mr. C. Rudolph Peterson; John L. Schroeder, of Washington, D. C., on motion of Mr. Thomas B. Collins; Leon London, of New York, N. Y., on motion of Mr. Harry J. Chernock; A. R. deJesús, Jr., of San Juan, P. R., on motion of Mr. Philip F. Herrick; Bigelow Boysen, of Idaho Falls, Idaho, on motion of Mr. William Mitchell; and Carroll Peyton White-lock, of Arlington, Va., on motion of Mr. Henry Grady Langley, were admitted to practice.

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No. 24. Commissioner of Internal Revenue, petitioner, *v.* Estate of Louis Sternberger, The Chase National Bank of the City of New York, Executor. Argument continued by Mr. Edward S. Greenbaum for the respondent and concluded by Miss Melva M. Graney for the petitioner.

No. 18. David Friedberg, petitioner, *v.* United States of America. Argued by Mr. Robert N. Gorman for the petitioner and by Mr. Assistant Attorney General Holland for the respondent.

No. 37. Marion L. Holland and Ethel E. Holland, petitioners, *v.* United States of America. Argument commenced by Mr. Sumner M. Redstone for the petitioners and continued by Mr. Marvin E. Frankel for the respondent.

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Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, October 21, will be as follows: Nos. 37, 25, 52, and 49.

## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

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St. John Barrett, of Oakland, Calif., and John J. Schauer, Jr., of Berkeley, Calif., on motion of Mr. Warren Olney III; Robert Kay Woltz, of Winchester, Va., James Randolph Larrick, of Winchester, Va., and John Frederick Larrick, of Winchester, Va., on motion of Mr. B. P. Harrison; Hatfield Chilson, of Loveland, Colo., on motion of Mr. Colin A. Smith; Emerson Addington Swartz, of Garden City, N. Y., on motion of Mr. James G. Moore; Nathan C. Finch, of Palo Alto, Calif., on motion of Mr. H. Donald Kistler; Charles M. Murphy, Jr., of Belzoni, Miss., and Walter W. Regirer, of Richmond, Va., on motion of Mr. William C. Hamilton, Jr.; John J. O'Connor, Jr., of Baltimore, Md., on motion of Mr. Daniel J. Andersen; Norman Herring, of Tucson, Ariz., on motion of Mr. Joseph William Burns; Emanuel Ainsworth Smith, of Philadelphia, Pa., on motion of Mr. Myron S. Isaacs; Clyde Wendelken, of Wichita, Kans., on motion of Mr. Blaine Fred Sturgis; and John P. Doyle, of Chicago, Ill., on motion of Mr. Perry S. Patterson, were admitted to practice.

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No. 37. Marion L. Holland and Ethel E. Holland, petitioners, *v.* United States of America. Argument continued by Mr. Marvin E. Frankel for the respondent and concluded by Mr. Peyton Ford for the petitioners.

No. 25. United States of America, petitioner, *v.* Edward B. Calderon. Argued by Mr. Assistant Attorney General Holland for the petitioner and by Mr. Joseph W. Burns and Mr. Norman Herring for the respondent.

No. 52. Daniel Smith, petitioner, *v.* United States of America. Argument commenced by Mr. W. Arthur Garrity, Jr., for the petitioner and continued by Mr. Marvin E. Frankel for the respondent.

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Adjourned until tomorrow at 12 o'clock.

The day call for Friday, October 22, will be as follows: Nos. 52, 49, and 27.

## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

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William P. Goodman, of Morristown, Tenn., and S. Norman Moe, of Appleton, Wis., on motion of Mr. Marvin E. Frankel; Dudley C. Lewis, of Honolulu, T. H., on motion of Mr. Frederick Bernays Wiener; Isaac C. Ginsburg, of Atlantic City, N. J., on motion of Mr. Benjamin Simon; William A. Bailey, of Tyler, Tex., on motion of Mr. Alexander Akerman; Peter W. Bauman, Jr., of St. Louis, Mo., and Charles E. Gray, of St. Louis, Mo., on motion of Mr. John Clarke Mason; Alan R. Vogeler, of Cincinnati, Ohio, on motion of Mr. Monte Appel; George Henry Lavan, of Cleveland, Ohio, and Theodore T. Sindell, of Cleveland, Ohio, on motion of Mr. Warren E. Miller; John Pryor Furman, of Alexandria, Va., on motion of Mr. Philip Bransfield Brown; and Paul A. Simmons, of Monongahela, Pa., on motion of Mr. George H. Windsor, were admitted to practice.

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No. 52. Daniel Smith, petitioner, *v.* United States of America. Argument concluded by Mr. Marvin E. Frankel for the respondent.

No. 49. William J. Opper, petitioner, *v.* United States of America. Argued by Mr. Frederick Bernays Wiener for the petitioner and by Mr. John F. Davis for the respondent.

No. 27. Dorsey K. Offutt, an Attorney, petitioner, *v.* United States of America. Argued by Mr. Warren E. Magee for the petitioner and by Mr. Gray Thoron for the respondent.

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Adjourned until Monday, October 25, next, at 12 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

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Mr. Solicitor General Sobeloff addressed the Court as follows:

“May it please the Court: This morning, at a meeting called for that purpose, members of the Bar of the Supreme Court adopted resolutions expressing their profound sorrow at the death of Chief Justice Vinson. Addresses were made to the Bar by Judge John J. Parker of the United States Court of Appeals for the Fourth Circuit, Mr. Edward H. Foley, Jr., and Mr. Cody Fowler. The resolutions are as follows:

### “RESOLUTIONS

“We of the Bar of the Supreme Court are met here to record our regret at the untimely death of Chief Justice Fred M. Vinson. He died suddenly on September 8th, 1953, at the age of sixty-three, after seven years of service on the bench of the Supreme Court as the thirteenth Chief Justice of the United States—the culmination of a life of service to his country.

“Fred M. Vinson was born in 1890 on the banks of the Big Sandy River in the little town of Louisa in Eastern Kentucky. His father was the town jailer, and the family living quarters were in the same building that housed the jail. The boy was thus born almost, if not actually, in the jail—a circumstance to which in later life he sometimes humorously referred. The Vinson family knew poverty. The boy, Fred, knew also the stimulus and opportunities of American life. As a youth, he was a prodigious reader and read all that the Louisa Library offered. In the public schools of Louisa and Catlettsburg he excelled in both scholarship and sports.

“The family was determined that he should go to college, and he went first to Kentucky Normal College and then, in 1908, on to the study of law at Centre College, Danville, Kentucky. There his feats, academic and athletic, are legendary. A leader among his fellow students, he graduated as the top-ranking student in his class in 1909, won prizes in the Law School in 1910 and 1911, and emerged from the Law School in 1911 with the unique distinction of possessing the highest academic record in the history of the Law School. At the same

time he ranked as one of the outstanding college athletes of his day as shortstop and captain of the Centre baseball team for two years. It is more than rumor that he was tempted by a career in professional baseball. But he turned from this prospect to law and public service, never, however, losing his deep interest in the great American game. He was, in fact, a living encyclopedia of baseball learning and when in later life his responsibilities required decisions affecting this American institution he always approached them with special relish.

“He entered the practice of the law in Louisa in 1911, and soon became City Attorney, an office then apparently more distinguished in its title than in its rewards. His varied practice in Louisa was interrupted during the first world war with a brief stint of military service ending in Officers Candidate School at the time of the Armistice.

“As a lawyer and a Kentuckian he was naturally interested in politics. He was, moreover, singularly endowed for public service. His ability, integrity, fairmindedness, and genial spirit won an ever-widening circle of friends and admirers. In 1921 he was elected Commonwealth Attorney for his district. In 1923, when thirty-three years of age, he ran for Congress in the old ninth district of Kentucky and was elected. Save for the Democratic eclipse of 1928, when he established a law partnership in Ashland, he was reelected with ever-increasing majorities until his resignation from Congress in 1938.

“For fourteen years Fred M. Vinson served his country in the Congress of the United States, and distinguished service it was. In 1931, in recognition of his demonstrated ability, he was assigned to the critically important Ways and Means Committee of the House of Representatives where he soon became a key figure. In 1936, despite his lesser seniority, he was named as Chairman of the Special Subcommittee on Revenue Legislation of the House Ways and Means Committee. In all, seven revenue acts were passed while Fred Vinson was a member of the House Ways and Means Committee. Each reflected his handiwork. Many of the major features of our modern revenue system stem from his work. When the Revenue Bill of 1938, a wholesale revision of the revenue statute and predecessor of the Internal Revenue Code, was before the House, it was then known that he was leaving Congress for the bench of the Court of Appeals for the District of Columbia. The bill was passed almost without debate as a tribute to its guiding spirit and the time was given over instead to heartfelt tributes from both sides of the aisle to this man from Kentucky who had served his country so well.

“But he was more than the Congressional tax expert, though there are easier subjects. His mastery of intricate revenue legislation, his fabulous facility with figures, his ability to translate the complex into the understandable and his talent for conciliation of divergent view-

points combined to make him a key Congressional leader on such important measures as the Vinson-Guffey Coal Acts, the Social Security Act of 1935, the Fair Labor Standards Act, the National Labor Relations Act, and the reciprocal trade legislation. He was in fact one of the architects of the basic social and economic reform legislation of the thirties. He believed in all rights guaranteed by the Constitution. He believed in the importance of all the "folks" and in the obligation of government to preserve for all the opportunity to live fruitful, useful, and happy lives. To this end as a legislative leader, he devoted his talents and in so doing won the deep respect and the abiding friendship of adherents and opponents alike.

"President Franklin D. Roosevelt in 1937 appointed him to a position on the bench of the Court of Appeals for the District of Columbia. Resigning from Congress after the passage of the Revenue Act of 1938, he took the oath of office as an Associate Justice of that Court on May 12, 1938. To the bench he brought experience as a lawyer in private practice, extraordinary legislative experience, the technical competence of a legal draftsman, and most important of all, real understanding and wisdom. From bench and bar alike he won respect and recognition. His opinions on the variety of subjects coming before that court were notable for their good sense and clarity of expression.

"With the advent of World War II and the institution by Congress of a system of price and rent controls, Chief Justice Stone of the Supreme Court was charged with the responsibility of designating a Federal Judge to serve as Chief Judge of the newly established Emergency Court of Appeals to review administrative rulings of the Office of Price Administration. In 1942 Fred M. Vinson was selected by Chief Justice Stone for this responsibility.

"A year later he was asked by President Roosevelt to become the Director of Economic Stabilization, to serve in effect as the President's deputy to stabilize the civilian economy in support of the war effort. With his characteristic willingness to do the job that needed doing he left the security of the federal judiciary to become, in the Executive Department, one of our great wartime civilian leaders—serving in a swift succession of positions of grave responsibility. No assignment was too demanding, no task was too hard for "Available Vinson" as he became affectionately known by the press. As Director of Economic Stabilization his was the duty, for twenty-one months, to fight the fires of inflation and thus help to sustain both the fighting front and homefront. Resisting pressures for special dispensation with firmness, he "held the line" in the national interest.

"Appointed by President Franklin D. Roosevelt to serve as Federal Loan Administrator in March of 1945, he held the post for one month. He was then named by the President as Director of War Mobilization

and Reconversion, an office charged not only with continued mobilization of resources for war but also with formulating the basic plans for converting our economy from war to peace. Enlisting the cooperation of other federal agencies, he immediately entered upon that task and in three months basic policies and plans for that purpose were formulated.

“In July 1945 President Truman appointed Fred M. Vinson as Secretary of the Treasury. The nomination received the enthusiastic approval of the Senate and for eleven months he served his country in that post. It was a period of acute responsibility for the Treasury Department. As Secretary, his tax recommendations eventuated in the first postwar legislation carrying out the policies that he had outlined while Director of War Mobilization and Reconversion. On the international front he represented this nation in negotiating the British Loan and the Lend-Lease Settlements, and in inaugurating the International Bank for Reconstruction and the International Monetary Fund. With his keen perception, ready wit, and practiced skill at negotiation, he proved a most effective international representative for this nation's interest.

“On June 6, 1946, his service as Secretary of Treasury was cut short, when President Harry Truman appointed him as Chief Justice of the United States. The Senate unanimously confirmed the nomination and on June 24, 1946, he took the oath of office. For seven years until his death on September 8, 1953, Fred M. Vinson served as the thirteenth Chief Justice of the United States. That is not a long time as terms of the Chief Justices have run. But the years of his service as Chief Justice presented issues to the Court of transcendent importance to the nation. Questions as to whether the equal protection of the laws extended to all races in all circumstances were presented in new and sharper focus. Congressional measures to thwart the conspiratorial apparatus of a foreign power were challenged as invasions of personal liberty. The authority of the Chief Executive to act to protect the national interest in times of emergency was presented for judicial determination.

“Such were some of the questions submitted to the Court while Chief Justice Vinson presided. Many of the Vinson opinions deal, not with such large issues, but with questions of lesser moment, technical and limited in scope, of interest to the profession and to few others. This was no accident. Charged with responsibility for opinion assignment, he was chary in reserving for himself the notable cases. He left his mark nonetheless. *Shelley v. Kraemer*, 334 U. S., on racial restrictive covenants, *Sweatt v. Painter*, 339 U. S. 629, and *McLaurin v. Oklahoma State Regents*, 339 U. S. 637, on racial discrimination in higher education, all written for a unanimous Court, are landmarks in the struggle to bring to all the equal protection of the laws.

“He was devoted to the cause of freedom and convinced at the same time that “the effective operation of government \* \* \* is an essential precondition to the existence of all civil liberties.” In that conviction he wrote the opinions for the majority in *American Communications Association v. Douds*, 339 U. S. 382, and *Dennis v. United States*, 341 U. S. 494, sustaining the validity of Congressional enactments directed against the machinations of the Communist apparatus. The accommodation in a free society of personal liberty and security for the nation will probably never be easy. It will certainly never be undertaken with a higher sense of dedication to the interest of the nation and the liberty of its citizenry than Chief Justice Vinson brought to the task.

“On occasion he dissented. Notable among his dissents was that in *Youngstown Sheet and Tube Co. v. Sawyer*, 343 U. S. 579, 667, stating forcefully his own uncompromising conviction.

“His dissenting opinions were not numerous. In a real sense, therefore, the judgments of the Court on the large issues decided during his period as Chief Justice were his own judgments as well. They were judgments accepted generally by the citizenry as fitting and wise. The Court has been strengthened as an institution of democratic government by the service of this Chief Justice who to the country so well represented justice administered fairly, with wisdom and dignity.

“Beyond this, to those who knew something of the operation of the Court, there was appreciation for his fairminded administration of the day-to-day business, for his devotion to the work of the Judicial Conference and for his effective leadership in the improvement of the administration of justice.

“This then is the record of some of the public service in a career of rare distinction. Congressman, judge, wartime administrator, Cabinet officer, Chief Justice of the United States, Fred Vinson graced every role. To each task he gave his best with genial spirit, confident of the promise of the future. His was the faith that problems made by man can all be solved, to use his language, with “patience, tolerance, and understanding.” Those are not common virtues. They were his in uncommon measure. A man of good will, friendly, approachable, genuinely interested in “folks,” he has left behind him friends literally without number.

“His was a good life. From his family life with his devoted and gracious wife, Roberta Dixon Vinson, and their two sons, his strength was renewed for the long and continuous service demanded of him by his country. His family also shared in his sacrifice, for a life of public service leaves only a legacy of honor.

“On the death of this statesman and jurist, President Dwight D. Eisenhower proclaimed a period of national mourning and in tribute

said of Fred M. Vinson: "a man of exemplary character, he possessed great human understanding, appreciation of our national heritage, and a keen mind. He has filled positions of great responsibility in all three branches of government—legislative, administrative, and judicial. In all of them he served with efficiency, dignity, and integrity. He was an outstanding citizen whose death was a loss to America."

"It is accordingly

"*Resolved*, That we, the Bar of the Supreme Court of the United States, express our profound sorrow at the untimely death of Chief Justice Fred M. Vinson and our enduring appreciation for the contribution this great statesman and jurist has made to our profession and to our country:

"*It is further Resolved*

"That the Attorney General be asked to present these resolutions to the Court and to request that they be inscribed upon its permanent records and that copies of these resolutions be forwarded to the widow and sons of Chief Justice Vinson."

Mr. Attorney General Brownell addressed the Court as follows:

"Eminent members of the legal profession have today paid just tribute to the memory of the late Chief Justice Vinson. The strength of his character, his friendliness and humility, and his devotion to the public service as legislator, as Circuit Judge, as administrator and Cabinet officer, and finally as Chief Justice of the United States are indelibly impressed on our hearts and minds.

"The Nation first knew him for his fourteen years of service in Congress. His warm personality, his folksy way of weaving homespun philosophy, his capacity for making friends and above all his integrity, combined to win over his adversaries in Congress to many social and economic reforms which he supported.

"In 1937, he was offered a judgeship on the Court of Appeals for the District of Columbia. Reluctantly he decided to abandon his legislative career to assume judicial duties. In his later years he often reminisced, with obvious relish, about his Congressional career.

"In his new judicial post, he served with distinction. His colleagues on the Court of Appeals, Judges Groner, Stephens, Rutledge, and others, were his good friends and held him in highest regard and affection.

"He was a stickler for the facts and studied each record with great care. Lacking pretense and despising sham, he would not hesitate to pierce the armor of any attorney who dared advance an untenable argument or one not based on the record. Yet, he was also so considerate, gentle, and courteous, that the inexperienced and uninitiated lawyer was promptly set at ease in his presence. Off the bench, in

meeting a young attorney, the "Chief" did not permit the occasion to pass without offering a kind word of encouragement.

"If one quality stood out in him above others, it was his complete devotion to duty. When the country called upon him to render service to it he responded without the slightest hesitation or thought of personal sacrifice. The circumstances surrounding his resignation from the Court of Appeals testify to the high sense of duty which actuated him.

"One day while he was a member of the Court of Appeals and talking to a brother judge in his office, the phone rang. It was the President. Would he resign to accept the wartime job of Economic Stabilizer? The immediate answer was, "Yes, sir, if you think I can be of help." There was no indecision, no thought about personal considerations; there were no expressed regrets about assuming one of the most controversial positions in Government.

"As Director of Economic Stabilization from 1943 to 1945, he was called upon to administer a most difficult assignment. It was his job to direct and implement a policy of holding the line against increases in ceilings on prices and wages. That he was successful in achieving this aim during a highly inflationary war period is a tribute to his tact and courage in the face of great pressures from every source.

"In 1945 he was appointed Federal Loan Administrator. Shortly thereafter he was appointed Director of War Mobilization and Reconstruction, and in the same year was made Secretary of the Treasury. This was his last executive post. In 1946 President Truman appointed him as the thirteenth Chief Justice of the United States. It was this great office which crowned his life work as a public servant. He held it until his untimely death in 1953.

"The 'Chief' cannot, among his friends and associates here today, be remembered merely in terms of the opinions rendered by him while on the Supreme Court. He was full of worldly wisdom, dignity, and humility.

"The 'Chief' brought to his high office a very rare quality—a keen and sympathetic understanding of people and their proper place in an orderly society. He came with a great breadth of legislative and executive experience. In the give and take of political life, he had learned to appraise men for what they were. He brought to the Court and to the conference table the practical viewpoint of the country lawyer. This seventh sense served him well in judging the conflicts that frequently arise in the course of human affairs and in the clash between the rights of the individual and those of government. His moderating influence was a decisive factor in mellowing deliberations and maintaining the prestige of the Court.

"His opinions were marked by clarity and comprehension. He hated abstractions. As Judge Learned Hand once said of Mr. Justice

Cardozo, so, too, Fred Vinson 'never disguised the difficulties, as lazy judges do who win the game by sweeping all the chessmen off the table \* \* \*.' You might disagree with him but there was no mistaking where he stood.

"The 'Chief' was a person of deep conviction and sturdy independence. Yet he realized only too well that there is no conclusive solution for many of the problems presented in the law. This knowledge and tolerance gave him the capacity of differing with his associates without rancor or ill-will.

"As he revered the high traditions of the law and our system of justice, so he abhorred the slightest transgression in the courts of the legal rights of even the worst offenders. Though concerned about maintaining a secure and orderly government, the 'Chief' was zealous in the protection of the individual citizen from arbitrary or capricious action by Government officials. He condemned bail set at amounts the accused could not raise, even though the defendants were Communists whom he loathed. To him the equal protection of the laws was not merely an empty slogan. His decisions in the racial restrictive covenant cases and in the cases involving racial discrimination in higher education were a major contribution to the thinking and conclusion of the Court in its recent decision declaring segregation in the public schools to be unconstitutional.

"He spoke for the Court in upholding the validity of the Smith Act by which Communist leaders could be imprisoned for conspiring to overthrow the government by force and violence. He joined in sustaining contempt convictions of Communist lawyers who by conduct unbecoming their high profession tried to bring our courts into disrepute. And he struck out against irresponsible union action in the mine fields which would have paralyzed our country in a period of a war emergency. He was not only a distinguished legislator, an able executive, and a noted jurist but he was in every way an exemplary citizen, completely devoted to his gracious wife and two fine sons.

"It was the country's good fortune that brought a man of such character, attainment, and integrity into public office. It was the country's great loss when he was taken from it.

"May it please this Honorable Court: In the name of the lawyers of this nation, and particularly of the Bar of this Court, I respectfully request that the resolution presented to you in memory of the late Chief Justice Fred M. Vinson be accepted by you, and that it together with the chronicle of these proceedings, be ordered kept for all time in the records of this Court."

The Chief Justice said:

“Mr. Attorney General:

“The Court receives with great sensibility the resolutions of the Bar paying respect to the memory of the late Chief Justice Fred M. Vinson. In this tribute, we affectionately join. It is an eloquent expression of the sentiments common to all Americans, for the simple virtues and public services of this great Chief Justice are deeply inscribed in the hearts of all of us.

“Eminent lawyer, legislator, administrator, statesman, jurist and, above all, great humanitarian, his life is an expression of the truth of the Biblical admonition, ‘Neither do men light a candle and put it under a bushel, but on a candlestick; and it giveth light unto all that are in the house.’ (Matthew 5: 15.) His light glowed so brightly in all the positions that he held with such distinction that even before coming to the Chief Justiceship, he had devoted practically all of his mature years to rendering valuable service for his country.

“Few men have been so well qualified by experience, intellect, and personality to meet the exacting responsibilities of this position. While it was not my privilege to serve with him here, as did my brothers, I knew him well enough to realize that, although he rose from humble beginnings to the highest offices in all three Branches of our Government, he never lost his understanding of people—that common touch and good judgment so essential in one who attains such heights.

“Chief Justice Vinson served here but seven years, a short span in the history of this Court. But as the 13th Chief Justice of the United States, he forged a strong link in the chain of constitutional interpretation. His varied background had given him tools which enabled him to perform his work with precision and dispatch. He came to the Court from the high office of Secretary of the Treasury, where he had served with distinction in the field of domestic and international finance. Prior to that, he filled the positions of Director of Economic Stabilization, Federal Loan Administrator, and Director of Mobilization and Reconversion. For the five years preceding his entry into the Executive Branch of the Government, he had been a judge on the United States Court of Appeals for the District of Columbia, where in this short period he had written over one hundred opinions, excluding those handed down as Chief Judge of the Emergency Court of Appeals. In those courts, as here, he carried more than his full share of the work. Before being appointed to the Court of Appeals, he represented his native state in the Congress of the United States for more than ten years.

“Hence, he came to the Chief Justiceship with the prestige and experience of honorable service in the Legislative, Executive, and Judi-

cial Branches of the Government—a unique distinction. This long dedication to the public service gave Chief Justice Vinson a comprehension of the difficult problems of the day that led not only to the writing of memorable decisions affecting almost every phase of American life but also brought to the judicial system an administrator of unflinching judgment.

“To understand fully the import of his decisions one must remember that his tenure as Chief Justice covered crucial years in our history. Coming to this office soon after our country had emerged victorious from World War II, he witnessed the enormous tensions of the cold war. The problems arising out of this conflict affected the very life of the Government and at the same time threatened individual freedoms. It was the task of this Court to reconcile the two, enabling the Government to insure the survival of our way of life without infringing upon individual liberties.

“His thought always was for country and he thus expressed it: ‘In our complex society, there is a great variety of limited loyalties, but the overriding loyalty of all is to our country.’ The causes he participated in were and still are controversial decisions. But all admire the legal craftsmanship exhibited in his handling of the delicate problems involved, the sincerity of the conclusions reached, and the strong moral overtones clearly expressing the philosophy of the Chief Justice that one’s first and unswerving duty is to his country.

“Chief Justice Vinson believed in the supreme worth of the individual, and he demanded equality before the law for all persons regardless of race. With characteristic fervor he wrote: ‘Whatever else the framers [of the Constitution] sought to achieve, it is clear that the matter of primary concern was the establishment of equality in the enjoyment of basic civil and political rights and the preservation of those rights from discriminatory action on the part of the States based on considerations of race or color.’

“Because of his great interest in tax problems, which originated during his service on the Committee on Ways and Means of the House of Representatives, the Chief Justice played a major role in the tax litigation before this Court. His expert knowledge enabled him to solve the intricate problems in this field with such clarity that his opinions gained universal acceptance.

“In appraising Chief Justice Vinson’s judicial work, we must not limit our consideration to cases before the Court. His juristic achievement extended as well to judicial administration in which he excelled. Under his guidance, the Judicial Conference of the United States became an increasingly potent force in the effective operation of the federal judicial system. His responsibility in this field weighed heavily upon him. He devoted much time and energy to its perform-

ance. As a result, the Conference has become an important instrumentality in the judicial service, according with the intentions of those who had so much to do with its creation and inception—Chief Justices Taft, Hughes, and Stone.

“Moreover, Chief Justice Vinson firmly believed that ‘justice delayed’ often means ‘justice denied.’ In the performance of his administrative duties on the Court, he made sure that this Court kept abreast of its cases and that the long delays in the lower federal courts were eliminated as soon as possible.

“But such tangible and recorded achievements of the late Chief Justice were but one side of his busy life. His was a winning personality, a warm Southern heart which, combined with marked ability, made of him a gracious and trusted leader. But he was also a great mediator, and he could interplay these normally inconsistent roles with limitless tact and great personal warmth. Certainly he was ‘one who could disagree without being disagreeable.’ His persuasive powers were strengthened by a phenomenal memory not only of events but of figures. With the wink of an eye he could tell you the batting average of almost any player in the big leagues or the number of completed passes in any prominent football game. Likewise he remembered what had transpired at a conference long before or the content of an unreported argument in the Court Room.

“Chief Justice Vinson was a kindly and humble man who loved his fellow man. There was no austerity in his being. Yet he possessed a quiet natural dignity that inspired respect and admiration, whether he was here on the Bench or in the stands witnessing an athletic contest.

“His selfless nature and devotion to country are illustrated by his resignation from the Court of Appeals, at the request of the President, to accept the position of Director of Economic Stabilization, where he was in charge of the economic phases of the war effort. In tribute to this patriotic action, a group of some fifteen local lawyers organized the Vinson Club. Later its limited membership was enlarged to fifty. The sole function of the group was to meet at dinner each time he received a new honor as he advanced in the service of his Government. After having met four times in celebration of such an occasion in the short space of two years, the group had its crowning fulfillment when in 1946 Secretary Vinson became the Chief Justice. Thereafter, during his lifetime the Vinson Club met once each year at dinner to honor him. Now they meet to keep bright his memory.

“Although Chief Justice Vinson’s judicial career was cut short early in life, his was a long service to his country and its people. Though he is no longer with us, so long as this building is dedicated to the administration of justice, there shall be preserved here the best record

of his service. Those who seek for his monument need only look here where are recorded the accomplishments of his high judicial station. We are grateful for the life of this brother who met every responsibility with integrity and complete fidelity. May he rest in peace.

"Let the Resolutions be spread upon the minutes of this Court."

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Rex A. Collings, Jr., of San Francisco, Calif., Girard Reuel Jetton, Jr., of Washington, D. C., George Francis Riseling, of Washington, D. C., George Clifton Wade, of Fayetteville, Ark., John H. Joyce, of Fayetteville, Ark., and T. S. L. Perlman, of Trenton, N. J., on motion of Mr. Solicitor General Simon E. Sobeloff; Harry Ross Workman, of Homewood, Ill. Margaret I. Cunningham, of Chicago, Ill., Donald Farrell Conaway, of Chicago, Ill., Fleetwood Mumford McCoy, of Chicago, Ill., John Ivan Cole, Jr., of Chicago, Ill., Leonard M. Groupe, of Chicago, Ill., Thomas Dietrich Burlage, of Chicago, Ill., William Edward Kaske, of Mount Prospect, Ill., Richard Zimbert, of Chicago, Ill., Seymour Berman, of Chicago, Ill., Robert Chapman Buckley, of Chicago, Ill., Paysoff Tinkoff, Jr., of Chicago, Ill., John T. Duffy, of Chicago, Ill., Marvin L. Goldberger, of Chicago, Ill., Ray J. Schoonhoven, of Elgin, Ill., Thomas Goodman Vent, Jr., of Chicago, Ill., Warner E. Frank, of Wheaton, Ill., Milton R. Gassel, of Chicago, Ill., and Norman S. Esserman, of Chicago, Ill., on motion of Mr. Reginald Carl Harmon; J. William Townsend, of Topeka, Kans., on motion of Mr. Richard B. McEntire; Arthur Arnold Zimmet, of New York, N. Y., on motion of Mr. Claude Pepper; Thomas D. Webb, Jr., of Washington, D. C., and John W. McCartin, of Minneapolis, Minn., on motion of Mr. Charles Grant Stetter; James F. Dwyer, of New York, N. Y., on motion of Mr. Warren E. Magee; James Einar Steffarud, of Des Moines, Iowa, on motion of Mr. Linton M. Collins; George McCall Courts Oulahan, of Washington, D. C., on motion of Mr. Whitney Robson Harris; Milton Edward Ehrenreich, of New York, N. Y., on motion of Mr. Harry Saidman; John W. Prunty, of Miami, Fla., on motion of Mr. Wilbur N. Baughman; Edmund Michael Reggie, of Crowley, La., Paul C. Tate, of Mamou, La., and Charles A. Riddle, Jr., of Marksville, La., on motion of Mr. Orman W. Ketcham; Albert Tate, Jr., of Ville Platte, La., and James Nelson Lee, of Bunkie, La., on motion of Mr. South Trimble, Jr.; Thomas G. Meeker, of New Haven, Conn., on motion of Mr. William H. Timbers; Benjamin Clyde Bennett, Jr., of Marksville, La., Joseph Nilas Young, of Eunice, La., and Gillis W. Long, of Winnfield, La., on motion of Mr. Robert Lee McCarty; John W. Adams, Jr., of Mobile, Ala., on motion of Mr. William M. Moloney; Sidney Burns Majure, of Richton, Miss., on motion of Mr. R. S. Majure; Robert

Hunter Pierson, of Alexandria, La., and Camille F. Gravel, Jr., of Alexandria, La., on motion of Mr. Al. Philip Kane; Martin M. Baxter, of Brooklyn, N. Y., on motion of Mr. Robert E. Kline; Bernard Liles, of New York, N. Y., on motion of Mr. Stanley L. Temko; Jim A. Rinehart, of El Reno, Okla., and Charles G. Ozmun, of Lawton, Okla., on motion of Mr. Frank Mahan; and Albert T. Ussery, of Albuquerque, N. Mex., on motion of Mr. Richard F. Ralph, were admitted to practice.

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The Chief Justice said:

"The orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

No. 312. Grayson-Robinson Stores, Inc., appellant, *v.* The Lionel Corporation. Appeal from the Supreme Court of New Jersey. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for the want of a substantial federal question.

No. 316. Western Air Lines, Inc., appellant, *v.* The People of the State of California. Appeal from the Supreme Court of California. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for the want of a substantial federal question. The Chief Justice took no part in the consideration or decision of this case.

No. 326. S. Klein on the Square, Inc., appellant, *v.* The Lionel Corporation. Appeal from the Court of Appeals of New York. *Per Curiam*: The appeal is dismissed for the want of a substantial federal question.

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No. 414. G. Seals Aiken, appellant, *v.* William Richardson. The motion for a stay, referred to the Court by Mr. Justice Black, is denied.

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No. 246. Paul W. Diehl, Jr., petitioner, *v.* Lehigh Valley Railroad Co., et al. Motion to proceed as a veteran granted. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit granted and case transferred to the summary calendar.

No. 302. Anthony J. Parissi, petitioner, *v.* Telechron, Inc., and General Electric Company. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted and case transferred to the summary calendar.

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No. 252. Bertha Gore et al., Infants by their Guardian ad litem, Bertha Gore, petitioners, *v.* United States Steel Corporation. Peti-

tion for writ of certiorari to the Supreme Court of New Jersey denied.

No. 270. Chicago and North Western Railway Company, petitioner, *v.* John Margevich. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 281. Specialties Development Corporation, petitioner, *v.* Randolph Laboratories, Inc.; and

No. 348. Randolph Laboratories, Inc., petitioner, *v.* Specialties Development Corporation. Petitions for writs of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 286. Fannie Hirshon Trust, U/A Charles Hirshon, et al., Trustees, petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 287. Remington Rand, Inc., petitioner, *v.* Isabel Dysart Bush et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 288. Great American Indemnity Company of New York, petitioner, *v.* B. N. Saltzman. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 290. J. Trosper Willie, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 305. Estate of Ida S. Godley, Deceased, Paul F. Godley, et al., Co-executors, petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 307. Draper and Company, Incorporated, petitioner, *v.* Commodity Credit Corporation. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 310. State of Washington, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 317. Greenville Avenue State Bank, petitioner, *v.* United States America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 323. The Assiniboine Indian Tribe, petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 324. Sam Goody, petitioner, *v.* Raxor Corporation et al. Petition for writ of certiorari to the Supreme Court of New York, County of New York, denied.

No. 325. Insurance Company of North America, petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 327. S. Klein on the Square, Inc., petitioner, *v.* The Lionel Corporation. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 328. Herbert Brownell, Jr., Individually and as the Attorney General of the United States, et al., petitioners, *v.* Leo A. Roth. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 330. Roy O. Shaffer, Trustee, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 331. Ervin Hohensee, petitioner, *v.* Hilda Manchester. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 332. Herbert Brownell, Jr., Attorney General, as Successor to the Alien Property Custodian, petitioner, *v.* Bank of America National Trust and Savings Association. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 285. Caryl Chessman, petitioner, *v.* People of the State of California et al. Petition for writ of certiorari to the Supreme Court of California denied without prejudice to an application for a writ of habeas corpus in an appropriate United States District Court. The Chief Justice took no part in the consideration or decision of this application.

No. 306. T. G. Briggs and Darrell Clark, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Mr. Justice Black is of the opinion certiorari should be granted.

No. 311. Arthur H. Marienfeld, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Mr. Justice Black is of the opinion certiorari should be granted.

No. 318. Julian Lane et al., as and Constituting the Florida State Racing Commission, petitioners, *v.* Volusia County Kennel Club, Inc., et al. Petition for writ of certiorari to the Supreme Court of Florida denied for the reason that the judgment below is based on state grounds adequate to support it.

No. 136, Misc. Charles Davis, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 141, Misc. George McGriff, petitioner, *v.* State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 147, Misc. Leonard Marion Bayless, petitioner, *v.* State of Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 190, Misc. William Francis Rupp, petitioner, *v.* Harley O. Teets, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

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No. 131, Misc. Maurice Allen, petitioner, *v.* Joseph E. Ragen, Warden;

No. 140, Misc. Lewis M. Harn, petitioner, *v.* William H. Bannan, Warden;

No. 152, Misc. Steve A. Goulding, petitioner, *v.* William H. Bannan, Warden; and

No. 156, Misc. Theodore R. Roebuck, petitioner, *v.* William H. Hiatt, Warden, etc. Motions for leave to file petitions for writs of habeas corpus denied.

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Adjourned until Monday, November 8, next, at 12 o'clock.

The day call for Monday, November 8, will be as follows: Nos. 119, 64, 28, and 30.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

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ORDER

No. ——. Walter Irvin, petitioner, *v.* L. F. Chapman, Superintendent.

*Upon Consideration* of the application of counsel,

*It is ordered* that execution of the sentence of death imposed upon the petitioner, *WALTER IRVIN*, be, and the same is hereby, stayed pending the filing and disposition of a petition for writ of certiorari to review the judgment of the Supreme Court of Florida entered November 5, 1954, provided the petition for writ of certiorari is filed on or before November 20, 1954. In the event certiorari is granted, this stay is to continue until final disposition of the case.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

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Judson Warren Bowles, of Washington, D. C., on motion of Mr. Solicitor General Simon E. Sobeloff; Jerome Ackerman, of Washington, D. C., William Walker Winter, of Washington, D. C., William Horace Deck, of Washington, D. C., Weaver White Dunnan, of Washington, D. C., Paul C. Warnke, of Washington, D. C., J. Randolph Wilson, of Washington, D. C., and Hamilton Carothers, of Washington, D. C., on motion of Mr. Dean G. Acheson; J. Frederick Taylor, of New York, N. Y., on motion of Mr. James B. Burke; Harold G. Talley, of Alton, Ill., and Fred P. Schuman, of Granite City, Ill., on motion of Mr. Munson H. Lane; Charles C. Parlin, Jr., of New York, N. Y., on motion of Mr. Wm. Harvey Reeves; Thomas Lima, of Chicago, Ill., William E. Lasko, of Chicago, Ill., and John Walter Sereda, of Chicago, Ill., on motion of Mr. Frederick R. Gibbs; John Christensen, of Manhasset, N. Y., on motion of Mr. Charles Woodbury Arth; Harold S. Cook, of St. Louis, Mo., on motion of Mr. James P. Kem; Max Goldsmith, of East Chicago, Ind., on motion of Mr. Ray S. Donaldson; Philip A. Kazen, of Laredo, Tex., on motion of Mr. Arthur C. Perry; James A. Finch, Jr., of Cape Girardeau, Mo., on motion of Mr. Claude W. Dudley; Bertram C. Dedman, of Columbia, Tenn., on motion of Mr. Victor H. Kramer; John Drew, of Harrison, N. Y., on motion of Mr. Edmund C. Grainger, Jr.; Irving Singer, of Brooklyn, N. Y., on motion of Mr. Joseph B. Danzansky; Joseph F. Bellamente, of New Hyde Park, N. Y., Anthony Farina, of New Hyde Park, N. Y., Edward J. Gunnigle, of Floral Park, N. Y., and George Whitman Waters, Jr., of New Hyde Park, N. Y., on motion of Mr. James Joseph Bierbower; James M. Pasch, of Milwaukee, Wis., Harwood Harry Staats, of Cudahy, Wis., Peter J. Mark, of Milwaukee, Wis., Stanley Z. Drejer, of Milwaukee, Wis., Laurence Carter Gram, of West Allis, Wis., Basil S. Norris, of Hopkins, S. C., Norman E. Hartung, of Milwaukee, Wis., Henry Sloane Blacker, of Minneapolis, Minn., Charles Costello Luetke, of Minneapolis, Minn., Bruce Charles Stone, of Minneapolis, Minn., Eugene L. Heck, of Minneapolis, Minn., Ward Fleming, of St. Paul, Minn., William I. Fine, of Minneapolis, Minn., Bruce C. Mueller, of Milwaukee, Wis., David Warren Lers, of Milwaukee, Wis., Stan L.

Lenchek, of Milwaukee, Wis., on motion of Mr. Reginald Carl Harmon, and Armin H. Friedman, of McKeesport, Pa., on motion of Mr. Samuel A. Weiss, were admitted to practice.

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No. 23. Robert A. McAllister, petitioner, *v.* United States of America. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment of Court of Appeals reversed with costs and case remanded to the United States District Court for the Eastern District of New York for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Minton. Mr. Justice Reed would affirm on the grounds stated by the Court of Appeals. Separate opinion by Mr. Justice Frankfurter.

No. 27. Dorsey K. Offutt, an Attorney, petitioner, *v.* United States of America. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment of Court of Appeals reversed and case remanded to the United States District Court for the District of Columbia for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Frankfurter. Mr. Justice Black and Mr. Justice Douglas join in the opinion of the Court and concur in the reversal and remand of the case for hearing before another judge. They would go further, however, and direct that petitioner be accorded a jury trial, for reasons set out in their dissents in *Sacher v. United States*, 343 U. S. 1, 14-23, and *Isserman v. Ethics Committee*, 345 U. S. 927. Dissenting: Mr. Justice Reed, Mr. Justice Burton, and Mr. Justice Minton.

No. 39. William C. Chandler, petitioner, *v.* Warden, Fretag. On writ of certiorari to the Supreme Court of the State of Tennessee. Judgment reversed with costs and case remanded to the Supreme Court of Tennessee for proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Chief Justice Warren.

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The Chief Justice said:

"The orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

No. 118. Carlos Alvarez Garcia, petitioner, *v.* H. R. Landon, District Director, Immigration and Naturalization Service. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. *Per Curiam*: The judgment of the Court of Appeals is vacated and the case is remanded to the District Court with directions to dismiss the petition for writ of habeas corpus upon the ground that the cause is moot.

No. 274. Phillips Petroleum Company, petitioner, *v.* Cabot Carbon Company. On petition for writ of certiorari to the United States

Court of Appeals for the Tenth Circuit. *Per Curiam*: The petition for writ of certiorari is granted. The judgment of the Court of Appeals is vacated and the case is remanded to that court for its reconsideration in the light of the latest order of the Corporation Commission of Oklahoma pertaining to the order in question.

No. 379. Earl Webb, as President of Sigma Tau Gamma, an Unincorporated Association, etc., et al., appellants, *v.* State University of New York et al. Appeal from the United States District Court for the Northern District of New York. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for the want of a substantial federal question.

No. 193, Misc. James E. Marron, Jr., appellant, *v.* Joseph E. Ragen, Warden. Appeal from the United States Court of Appeals for the Seventh Circuit; and

No. 209, Misc. J. Milton Smith, appellant, *v.* Westchester County Bar Association. Appeal from the Court of Appeals of New York. *Per Curiam*: The appeals are dismissed for the want of jurisdiction. 28 U. S. C., § 1257 (2). Treating the papers whereon the appeals were taken as petitions for writs of certiorari as required by 28 U. S. C., § 2103, certiorari is denied.

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No. 320. Michigan-Wisconsin Pipe Line Company, Appellant, *v.* Corporation Commission of Oklahoma; and

No. 321. Natural Gas Pipeline Company, Appellant, *v.* Corporation Commission of Oklahoma. Motion of Phillips Petroleum Company for leave to file motion to dismiss granted.

No. 191. Natural Gas Pipeline Company of America, appellant, *v.* Panoma Corporation and the Corporation Commission of the State of Oklahoma; and

No. 321. Natural Gas Pipeline Company of America, appellant, *v.* The Corporation Commission of the State of Oklahoma et al. Appeals from the Supreme Court of Oklahoma. In these cases probable jurisdiction is noted.

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No. 333. Anthony Pino, petitioner, *v.* Henry Nicolls, District Director of Immigration and Naturalization. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit granted and case transferred to the summary calendar.

No. 337. Alexander Norwood, Joseph F. Tunstall, and John E. Smallwood, petitioners, *v.* Honorable William H. Kirkpatrick, etc. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit granted.

No. 375. Virgil G. Carroll, Harry B. Hogan, Doing Business as Harry B. Hogan Painting Company, et al., petitioners, *v.* M. Lanza,

Doing Business as Lake Charles Electric Company. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit granted.

No. 357. Ciraco Maneja, Antone Vierra, Tadao Watanabe, et al., petitioners, *v.* Waialua Agricultural Company, Limited; and

No. 358. Waialua Agricultural Company, Limited, petitioner, *v.* Ciraco Maneja et al. Petitions for writs of certiorari to the United States Court of Appeals for the Ninth Circuit granted. The cases are consolidated for argument and each side is allowed one hour. The Solicitor General is invited to participate in oral argument on behalf of the Secretary of Labor as *amicus curiae*.

No. 367. Federal Power Commission, petitioner, *v.* The State of Oregon et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted. Petition of Portland General Electric Co. for leave to intervene denied.

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No. 262. Fischer and Porter Company, petitioner, *v.* Brooks Rotameter Company. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 313. Arvey Corporation, an Illinois Corporation, Suing in its own Behalf and in Behalf of its Division, Velsicol Corporation, petitioner, *v.* C. P. Fugate, Director of Revenue of the State of Colorado. Petition for writ of certiorari to the Supreme Court of Colorado denied.

No. 329. Thomas Rigging Company, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 334. J. Stanley Bower, petitioner, *v.* Eastern Airlines, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 335. Rose J. Linde, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 336. Lambros G. Metrakos, petitioner, *v.* The Cleveland Union Terminals Company. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 338. Branyan & Peterson, Inc., a Tennessee Corporation, et al., petitioners, *v.* Horace E. Thompson, Commissioner of Revenues for the State of Arkansas. Petition for writ of certiorari to the Supreme Court of Arkansas denied.

No. 339. Atlantic Coast Line Railroad Company, petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 340. Laura B. Hopkins, Administratrix of the Estate of Howard T. Hopkins, Deceased, petitioner, *v.* E. I. duPont de Nemours and Company. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 341. Walter Lee Hall, petitioner, *v.* John S. Battle, Governor of the Commonwealth of Virginia, et al. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia, and/or Circuit Court of the City of Richmond denied.

No. 342. Grady Alexander, petitioner, *v.* The State of Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 343. The American Federation of Musicians, a Voluntary Organization, et al., petitioners, *v.* Abe Stein, a Resident of Davidson County, Tennessee. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 344. James A. Vaughan, petitioner, *v.* Petroleum Conversion Corporation, Bankrupt, and William Duffy, Jr., Trustee in Bankruptcy. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 345. Ling Share Yee, as Father and Next Friend of Ling Yut Chew, a Minor and Ling Yut Chew, petitioners, *v.* Dean Acheson, as Secretary of State of the United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 346. Vulcan Furniture Manufacturing Corporation, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 347. Hartford Accident and Indemnity Company, petitioner, *v.* J. M. Foster and J. H. Johnson, as Individuals and as Partners Trading as J. M. Foster & Co. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 349. Mary Cooley Roy, petitioner, *v.* Leonard C. Roy, Sr. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 350. Louis B. Saperstein, petitioner, *v.* The People of the State of New York. Petition for writ of certiorari to the Superior Court, Appellate Division, and the Supreme Court of New Jersey denied.

No. 352. Hearst Consolidated Publications, Inc., petitioner, *v.* Robert R. Stevenson. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 354. C. C. Lambert et al., Partners d/b/a Low Gap Coal Company, petitioners, *v.* United Mine Workers of America and United Mine Workers of America, District 28. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 355. Robert Wendell Hainsworth, petitioner, *v.* Harris County Commissioners' Court. Petition for writ of certiorari to the Supreme Court of Texas denied.

No. 359. Commonwealth of Pennsylvania, *ex rel.* Clarence E. Tanner, petitioner, *v.* John W. Claudy, Warden, Western State Penitentiary. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 360. Louisiana & Arkansas Railway Company, petitioner, *v.* Mack Henry Johnson. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 364. Stephen K. Kloiber and William Kloiber, petitioners, *v.* Commonwealth of Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 365. John Povey, petitioner, *v.* The Midvale Company. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 366. Knickerbocker Printing Corporation, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 369. Leo J. Meyberg Company, a Corporation, petitioner, *v.* Eureka Williams Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 371. Christel Guessefeldt, petitioner, *v.* Herbert Brownell, Jr., as Successor to the Alien Property Custodian, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 383. Frank Buro, James Cardino, Michael Cardino, et al., petitioners, *v.* The People of the State of New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 353. Cowles Publishing Company, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas took no part in the consideration or decision of this application.

No. 361. St. Louis Amusement Company, petitioner, *v.* United States of America, Federal Communications Commission and Columbia Broadcasting System, Inc. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Douglas took no part in the consideration or decision of this application.

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No. 51, Misc. Joseph Paul Fanning, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 80, Misc. Brook Mitchell, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 143, Misc. Robert Kubus, petitioner, *v.* Edwin T. Swenson, Warden. Petition for writ of certiorari to the Supreme Court of Minnesota denied.

No. 145, Misc. Luther C. Sykes, Jr., petitioner, *v.* Vernon L. Peppersack, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 149, Misc. Hardy J. Owens, petitioner, *v.* Nathan Mayo, Prison Custodian. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 151, Misc. James Blackmorn, petitioner, *v.* People of the State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 155, Misc. Abe M. Draisner, petitioner, *v.* Liss Realty Co. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 157, Misc. Harry Lee Williams, petitioner, *v.* C. H. Looney, Warden, etc. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 165, Misc. Robert Allen Bobo, Jr., petitioner, *v.* The People of the State of California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 167, Misc. Richard Kamrowski, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 169, Misc. William Allen Lindsey, a Minor by Next Friend etc., petitioner, *v.* St. Paul Mercury Indemnity Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 173, Misc. Jack Friday, petitioner, *v.* H. E. Moore, Warden. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 175, Misc. Arnold Plue, petitioner, *v.* George A. Cummings, Warden. Petition for writ of certiorari to the Supreme Court of Errors of Connecticut denied.

No. 179, Misc. Harry Gordon Geach, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 183, Misc. Joshua J. Tillman, Henry Edwards, and Leo Myles, petitioners, *v.* John R. Cranor, Superintendent of Washington State

Penitentiary. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 184, Misc. Harold T. Jones, petitioner, *v.* People of the State of New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Department, denied.

No. 189, Misc. Richard Garner, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Criminal Court of Cook County of Illinois denied.

No. 191, Misc. James Lee Brown, petitioner, *v.* People of the State Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 192, Misc. Calman Cooper, Nathan Wissner and Harry A. Stein, petitioners, *v.* People of the State of New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 196, Misc. Salvatore Emmino, petitioner, *v.* People of the State of New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Department, denied.

No. 198, Misc. Roger V. Coe, petitioner, *v.* John R. Cranor, Superintendent, Washington State Penitentiary. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 200, Misc. Lowry L. Trent, petitioner, *v.* Joseph R. Blalock, Superintendent, Southwestern State Hospital, Marion, Va. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 201, Misc. Arthur Leroy Horton, petitioner, *v.* Commonwealth of Virginia. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 202, Misc. Stephen Broccoli, petitioner, *v.* William C. Kindelan, Warden. Petition for writ of certiorari to the Supreme Court of Rhode Island denied.

No. 205, Misc. Milton Garrison, petitioner, *v.* Commonwealth of Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 206, Misc. Commodore Perry Sam, petitioner, *v.* John R. Cranor, Superintendent, Washington State Penitentiary. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 207, Misc. Albert Joseph Kostal, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the District Court of Appeal of California, Second Appellate District, denied.

No. 208, Misc. James E. Marron, Jr., petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 210, Misc. Catherine L. Watson, petitioner, *v.* School District of McKeesport, Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 214, Misc. Charles Campiglia, petitioner, *v.* People of the State of New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Judicial Department, denied.

No. 215, Misc. Gilbert J. Stinchcomb, petitioner, *v.* People of California, et al. Petition for writ of certiorari to the District Court of Appeal of California, Third Appellate District, denied.

No. 218, Misc. Roy E. MacArthur, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the District Court of Appeal of California, First Appellate District, denied.

No. 166, Misc. David Aitchison, petitioner, *v.* State of Maryland. Motion of Kenneth C. Hitchcock and others for leave to file a brief *amici curiae* denied. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

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No. 138, Misc. Ex parte Robert Lee Breeding, petitioner;

No. 171, Misc. Cortland T. Summey, petitioner, *v.* Orel J. Skeen, Warden;

No. 185, Misc. John W. McGuinn, petitioner, *v.* Henry M. Lindsay, Superintendent, D. C. Reformatory, et al.;

No. 186, Misc. Erby Lee Nicholson, petitioner, *v.* People of the State of California;

No. 195, Misc. Ex parte Paul King, petitioner; and

No. 197, Misc. Ex parte Frank Williams, Jr., petitioner. Motions for leave to file petitions for writs of habeas corpus denied.

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No. 139, Misc. Richard Saunders, petitioner, *v.* Hon. Theodore Levin, Judge, etc., et al., and

No. 194, Misc. Joe Tubb, petitioner, *v.* United States of America. Motions for leave to file petitions for writs of mandamus denied.

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No. 142, Misc. John Cordts, petitioner, *v.* Joseph E. Ragen, Warden; and

No. 164, Misc. Bernard Ephraim, petitioner, *v.* Joseph E. Ragen, Warden, Illinois State Prison. Motions for leave to file petitions for writs of certiorari denied.

No. 119. O'Neal Massey, petitioner, *v.* H. E. Moore, Warden. Leave granted James N. Castleberry, Jr., to appear and present oral argument for the respondent *pro hac vice* on motion of Mr. Dean Acheson. Argued by Mr. Dean Acheson for the petitioner and by Mr. James N. Castleberry, Jr., for the respondent *pro hac vice* by special leave of Court.

No. 64. Odom Farrell Sullivan, petitioner, *v.* United States of America. Argued by Mr. Llewellyn A. Luce for the petitioner and by Mr. Charles F. Barber for the respondent.

No. 28. Evelyn Rice, petitioner, *v.* Sioux City Memorial Park Cemetery, Incorporated, a Corporation, et al. Argument commenced by Mr. Lowell C. Kindig for the petitioner and continued by Mr. Jesse E. Marshall for the respondents.

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Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, November 9, will be as follows: Nos. 28, 30, 31, and 36.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

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Robert M. L. Baker, of Los Angeles, Calif., on motion of Mr. Loyd Earl Wright; A. W. Sandack, of Salt Lake City, Utah, on motion of Mr. Stanley Gewirtz; John H. Rust, of Fairfax, Va., and John C. Wood, of Fairfax, Va., on motion of Mr. William C. Bauknight, Jr.; Gerald Schoenfeld, of New York, N. Y., and Adolph Lund, of New York, N. Y., on motion of Mr. Milton R. Weir; John Alexander, of Washington, D. C., on motion of Mr. Myron G. Ehrlich; Edward Randolph Haigler, of Washington, D. C., on motion of Mr. Ruffin A. Brantley; William Collins Braden, Jr., of Houston, Tex., on motion of Mr. Robert E. May; Jack Martin Young, of Cleveland, Ohio, on motion of Mr. Harry C. Riley; Lynn Barratt Morris, of Wilmington, Del., on motion of Mr. Harold Alden Jewett; Arthur Lazarus Jr., of New York, N. Y., on motion of Mr. Marvin J. Sonosky; Alex Moncure Bloxton, of Falls Church, Va., on motion of Mr. John G. Epaminonda; and Rudy G. Rice, of Austin, Tex., on motion of Mr. E. Jake Jacobsen, were admitted to practice.

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No. 28. Evelyn Rice, petitioner, *v.* Sioux City Memorial Park Cemetery, Incorporated, a Corporation, et al. Argument concluded by Mr. Lowell C. Kindig for the petitioner.

No. 30. The National City Bank of New York, petitioner, *v.* The Republic of China et al. Argued by Mr. Wm. Harvey Reeves for the petitioner and by Mr. Louis J. Gusmano for the respondents.

No. 31. Baltimore Contractors, Inc., petitioner, *v.* Jacob H. Bodinger. Argued by Mr. Morris Rosenberg for the petitioners and by Mr. Charles Wilson for the respondent.

No. 36. The United States of America, appellant, *v.* Lee Shubert, Jacob J. Shubert, et al. Argument commenced by Mr. Philip Elman for the appellant and continued by Mr. Alfred McCormack for the appellees.

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Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, November 10, will be as follows: Nos. 36, 53, and 29.

SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

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Benjamin C. Milner, of New York, N. Y., Frederick Billings Lee, of McLean, Va., and Armand Francis Macmanus, of New York, N. Y., on motion of Mr. Whitney North Seymour; Harold B. Pressley, Jr., of Dallas, Tex., and Eugene M. Locke, of Dallas, Tex., on motion of Mr. William A. Sutherland; Everett E. Hitchcock, of Los Angeles, Calif., on motion of Mr. Michael G. Luddy; John Helms Halley, Jr., of Oklahoma City, Okla., on motion of Mr. Walter A. Slowinski, Jr.; John Robert Spielman, of Washington, D. C., on motion of Mr. Simon M. Newman; Joseph E. Finley, of Washington, D. C., on motion of Mr. Eugene Gressman; James L. Crawford, of Cincinnati, Ohio, on motion of Mr. Edward J. Hickey; M. O. Shivers, Jr., of Englewood, Colo., on motion of Mr. Oscar W. Giese; Mrs. Helen D. Steinhardt, of New York, N. Y., on motion of Mr. Charles Sidney Steinhardt; and John J. O'Connell, of New York, N. Y., on motion of Mr. Alfred McCormack, were admitted to practice.

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No. 36. The United States of America, appellant, *v.* Lee Shubert, Jacob J. Shubert, et al. Argument continued by Mr. Alfred McCormack for the appellees and concluded by Mr. Philip Elman for the appellant.

No. 53. United States of America, appellant, *v.* International Boxing Club of New York, Inc., et al. Argued by Mr. Philip Elman for the appellant, by Mr. Manuel Lee Robbins for the New York State Athletic Commission, *amicus curiae*, and by Mr. Whitney North Seymour and Mr. Charles H. Watson for the appellees.

No. 29. The United States, petitioner, *v.* Koppers Company, Inc., Successor on Merger to Koppers United Company and Subsidiaries. Argued by Mr. Hilbert P. Zarky for the petitioner and by Mr. David W. Richmond for the respondent.

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Adjourned until Friday, November 12, next, at 12 o'clock.

The day call for Friday, November 12, will be as follows: Nos. 41 and 43.

## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

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Ernest E. Kellogg, of Veedersburg, Ind., on motion of Mr. Will Shafroth; James H. Henry, of Tullahoma, Tenn., on motion of Mr. Estes Kefauver; Leon Eggleston Provine, of Grenada, Miss., and Leon Podrove, of Manchester, Conn., on motion of Mr. Hilbert P. Zarky; James F. Hulse, of El Paso, Tex., on motion of Mr. Hugh T. Fullerton; M. David Scheinman, of New Bedford, Mass., on motion of Mr. John C. Herberg; Miss Frane V. Thomas, of St. Petersburg, Fla., on motion of Mr. Joseph A. Nacrelli; Jerome C. Fisher, of Cleveland, Ohio, on motion of Mr. Walter A. Slowinski, Jr.; Arthur J. Harvey, of Albany, N. Y., and Harvey M. Lifset, of Albany, N. Y., on motion of Mr. William H. Ward, Jr.; Peveril O. Settle, of Fort Worth, Tex., on motion of Mr. Archie D. Gray; John L. Toler, of New Orleans, La., on motion of Mr. Max C. Louis; Louis Lusky, of Louisville, Ky., on motion of Mr. Harold Leventhal; and Lynell G. Skarda, of Clovis, N. Mex., on motion of Mr. Dee C. Blythe, were admitted to practice.

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No. 41. Premier Oil Refining Company of Texas, petitioner, *v.* United States of America. Argued by Mr. William A. Sutherland for the petitioner and by Mr. Hilbert P. Zarky for the respondent.

No. 43. The Tee-Hit-Ton Indians, an Identifiable Group of Alaska Indians, petitioner, *v.* The United States. Argued by Mr. James Craig Peacock for the petitioner and by Mr. Ralph A. Barney for the respondent.

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Adjourned until Monday, November 15, next, at 12 o'clock.

The day call for Monday, November 15, will be as follows: Nos. 261, 14, 38, and 120.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

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Jacob Yosef Miliman, of Baltimore, Md., on motion of Mr. Frederick Bernays Wiener; Pierre Howard, of Decatur Ga., on motion of Mr. John James Flynt, Jr.; J. D. Todd, Jr., of Greenville, S. C., and Wesley M. Walker, of Greenville, S. C., on motion of Mr. Mac Asbill; Jerome F. Kramer, of Cleveland, Ohio, Harry D. Rees, Jr., of Rocky River, Ohio, and Jerry F. Chvosta, of Cleveland, Ohio, on motion of Mr. Roland A. Linger; Eugene M. Munger, of St. Louis, Mo., on motion of Mr. Francis Coleman Rosenberger; John L. Globensky, of Benton Harbor, Mich., on motion of Mr. Donald Joseph Fortman; Howard I. Furst, of Los Angeles, Calif., on motion of Mr. John Joseph Dwyer; Robert B. Stewart, of Montgomery, Ala., and Robert Straub, of Montgomery, Ala., on motion of Mr. John Sparkman; Sidney Gustave Roos, of New Orleans, La., on motion of Mr. John C. Ristine; Richard W. Mehl, of Goshen, Ind., on motion of Mr. Ray S. Donaldson; George Calvin Dreos, of Washington, D. C., on motion of Mr. Eugenio M. Fonbuena; Orvis Samuel Moore, of Greenville, Tex., on motion of Mr. E. Jake Jacobsen; Lorraine Wall Hurney, of Washington, D. C., on motion of Mr. Loran Paul Winings; and R. Stanley Hudgins, of Norfolk, Va., on motion of Mr. W. R. Ashburn, were admitted to practice.

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The Chief Justice said:

"The orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

No. 28. Evelyn Rice, petitioner, *v.* Sioux City Memorial Park Cemetery, Incorporated, a Corporation, et al. On writ of certiorari to the Supreme Court of Iowa. *Per Curiam*: The judgment is affirmed by an equally divided Court.

No. 404. Milton Amsel and Charles Amsel d/b/a Amsel Dental Laboratory, appellants, *v.* Clarence G. Brooks et al., Comprising the Members of the Dental Commission of the State of Connecticut. Appeal from the Supreme Court of Errors of Connecticut. *Per Curiam*: The appeal is dismissed for the want of a substantial federal question.

No. 418. West Virginia Motor Truck Association, Inc., et al., appellants, *v.* Public Service Commission of West Virginia and the Chesapeake and Ohio Railway Company. Appeal from the United States District Court for the Southern District of West Virginia. *Per Curiam*: The judgment is affirmed. Mr. Justice Reed took no part in the consideration or decision of this case.

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No. 16. Silesian Holding Company et al., petitioners, *v.* Union Bank of Switzerland et al.; and

No. 17. Herbert Brownell, Jr., Attorney General of the United States as Successor to the Alien Property Custodian, petitioner, *v.* Union Bank of Switzerland et al. The motion to defer consideration of the petitions for writs of certiorari until March 1, 1955, is granted.

No. 20. James R. Ellis, as President of the Yonkers Committee for Peace, an Unincorporated Association, petitioner, *v.* William Dixon et al., as Members of the Board of Education of the City of Yonkers, etc. This case is ordered restored to the docket for reargument before a full bench. Counsel are requested to argue both the merits and the jurisdiction of this Court.

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No. 368. Joseph P. Marcelle, petitioner, *v.* Estate of Raymond Lupia, Bruno Lupia and Amelia Lupia, Executors. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted and the case is transferred to the summary calendar.

No. 374. Edward J. Shaughnessy, as District Director of Immigration and Naturalization for the District of New York, petitioner, *v.* Mampril Sequeira Pedreiro. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted.

No. 376. John P. Peters, petitioner, *v.* Oveta Culp Hobby et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit granted.

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No. 308. Walter Bitterling, petitioner, *v.* Maple Island Farm, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 372. Thayer Company et al., petitioners, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 373. The State of Wisconsin and the Public Service Commission of Wisconsin, petitioners, *v.* Federal Power Commission. Peti-

tion for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 377. Jerome F. Duggan, Trustee of the Estate of Christopher Engineering Company, a Corporation, Debtor, et al., petitioners, *v.* Ida Magidson, Executrix of the Estate of Phil Magidson, Deceased. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 397. A. M. Joyce, Harold French, Bernice Sherry, et al., petitioners, *v.* Roger L. Dell et al. Petition for writ of certiorari to the Supreme Court of Minnesota denied.

No. 401. Texas Gas Transmission Corporation, petitioner, *v.* Z. D. Atkins, Commissioner of Finance and Taxation, State of Tennessee. Petition for writ of certiorari to the Supreme Court of Tennessee denied.

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No. 46. Frank Bernard Kuczynski, petitioner, *v.* John C. Burke, Warden, Wisconsin State Prison, Waupun, Wisconsin;

No. 86. Colorado Interstate Gas Company, petitioner, *v.* Federal Power Commission;

No. 106. Stapling Machines Co., appellant, *v.* A. H. Stone, Chairman, State Tax Commission of the State of Mississippi, and J. E. Stone, General Counsel for the State Tax Commission for the State of Mississippi;

No. 188. Ennis M. Nichols, Individually and on Behalf of Other Stockholders of Long Island Lighting Company Similarly Situated, etc., petitioner, *v.* Long Island Lighting Company and Securities and Exchange Commission;

No. 26, Misc. Wilbur O. Archie, petitioner, *v.* Shell Oil Company, Inc., et al.;

No. 64, Misc. Clyde Wagner, petitioner, *v.* Joseph E. Ragen, Warden; and

No. 90, Misc. Jean A. H. Barkeij, petitioner, *v.* Lockheed Aircraft Corporation. Petitions for rehearing denied.

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No. 25, Misc. Charles Vincent Gicinto, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 27, Misc. Harold W. Hopwood, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 134, Misc. Isaac Wise, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

## ORDER

The Court will take a recess from Monday, November 22 until Monday, December 6, next.

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No. 261. Elizabeth R. Granville-Smith, petitioner, *v.* Edward Granville-Smith. Submitted by Mr. Abe Fortas, Mr. George H. T. Dudley, and Mr. Milton V. Freeman for the petitioner and by Mr. Warren H. Young for the respondent.

No. 14. United States of America, petitioner, *v.* Guy W. Capps, Inc. Argued by Mr. Solicitor General Sobeloff for the petitioner and by Mr. W. R. Ashburn for the respondent.

No. 38. United States of America, petitioner, *v.* Peter Brown. Argued by Mr. Samuel D. Slade for the petitioner and by Mr. Lee S. Kreindler for the respondent.

No. 120. Jeremiah Reeves, Jr., petitioner, *v.* State of Alabama. Argument commenced by Mr. Jack Greenberg for the petitioner and continued by Mr. Robert B. Stewart for the respondent.

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Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, November 16, will be as follows: Nos. 120, 33, 34, 35, and 40.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

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John Lefler Davidson, Jr., of Springfield, Ill., and Mark O. Roberts, of Springfield, Ill., on motion of Mr. Edgar A. Jonas; John F. Deeds, of Washington, D. C., on motion of Mr. John Dillon Fitzgerald; Claudius Rogers Hall, Jr., of Westminster, Md., on motion of Mr. Norman C. Melvin, Jr.; Louis Pabst Poulton, of Pasadena, Md., on motion of Mr. Plato Ernest Papps; Patrick James Wilson, of Ponce, P. R., on motion of Mr. Darwin Charles Brown; Lamar Carnes, of Houston, Tex., on motion of Mr. Samuel D. McIlwain; Karl K. Morris, of Cleveland, Ohio, on motion of Mr. Walter E. Barton; John Burdette Benkert, of Washington, D. C., on motion of Miss Ivy Lee Buchanan; and William B. Wolf, Jr., of Chevy Chase, Md., on motion of Mr. William B. Wolf, were admitted to practice.

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No. 120. Jeremiah Reeves, Jr., petitioner, *v.* State of Alabama. Argument continued by Mr. Robert Straub for the respondent and concluded by Mr. Jack Greenberg for the petitioner.

No. 33. United States of America, petitioner, *v.* Michael P. Acri et al. Argued by Mr. Charles K. Rice for the petitioner and by Mr. Francis B. Kavanagh for the respondent, Edward Oravitz, Administrator, etc.

No. 34. United States of America, petitioner, *v.* The Liverpool and London and Globe Insurance Company, Limited, et al. Argued by Mr. Charles K. Rice for the petitioner and submitted by Mr. Searcy L. Johnson for respondent, The Liverpool and London and Globe Insurance Co., Ltd., and by Mr. Arthur S. Goldberg for the respondent Sunnyland Wholesale Furniture Co.

No. 35. United States of America, petitioner, *v.* R. P. Scovil, Dan Tasse, Inc., et al. Argued by Mr. John R. Benney for the petitioner and by Mr. J. D. Todd, Jr., for the respondents.

No. 40. Bessie B. Cox and John G. Thompson, as Administrators of the Estate of Sid Cox, Deceased, et al., petitioners, *v.* Arthur Roth, as Administrator of the Estate of James Dean, Deceased. Argued

by Mr. Douglas D. Batchelor for the petitioners and by Mr. Jacob Rassner for the respondent.

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Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, November 17, will be as follows: Nos. 44, 121, and 51.

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SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

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Nicholas A. Brinsky, of Cleveland, Ohio, and Michael Leo Hearn, of Cleveland, Ohio, on motion of Mr. Charles G. Jaquette; George Leftoff, of Franklin Square, N. Y., on motion of Mr. Seymour Spruch; Blanche Eunice Dodds, of Chattanooga, Tenn., and Alvin Gilmore Cohen of Chicago, Ill., on motion of Mr. Samuel Lebowitz; Loyal Herman Gregg, of Pittsburgh, Pa., on motion of Mr. Mahlon E. Lewis; Robert T. Jensen, of Los Angeles, Calif., on motion of Mr. John W. Gaskins; and Walton M. Joiner, of Peoria, Ill., on motion of Mr. Joseph O. Janousek, were admitted to practice.

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No. 44. Latham Castle, Attorney General of the State of Illinois, et al., petitioners, *v.* Hayes Freight Lines, Inc. Argued by Mr. John L. Davidson, Jr., for the petitioners and by Mr. David Axelrod for the respondent.

No. 121. L. L. Moore, petitioner, *v.* Mead's Fine Bread Company, a Corporation. Argued by Mr. Lynell G. Skarda and Mr. Dee C. Blythe for the petitioner and by Mr. Edward W. Napier for the respondent.

No. 51. Association of Westinghouse Salaried Employees, petitioner, *v.* Westinghouse Electric Corporation. Argument commenced by Mr. David E. Feller for the petitioner.

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Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, November 18, will be as follows: Nos. 51 and 54.

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SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

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Lawrence B. Lindemer, of Stockbridge, Mich., on motion of Mr. Homer Ferguson; A. DeJongh Franklin, of Atlanta, Ga., on motion of Mr. Asher Lewis Wheeler; Richard K. Gordon, of Andover, Mass., on motion of Mr. John C. Herberg; Arnold M. Edelman, of Cleveland, Ohio, on motion of Mr. William H. Thomas, and Robert M. Taylor, of Philadelphia, Pa., on motion of Mr. James P. McGranery, were admitted to practice.

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No. 51. Association of Westinghouse Salaried Employees, petitioner, *v.* Westinghouse Electric Corporation. Argument continued by Mr. David E. Feller for the petitioner and by Mr. Mahlon E. Lewis for the respondent and concluded by Mr. David E. Feller for the petitioner.

No. 54. Michael J. Regan, petitioner, *v.* The People of the State of New York. Argued by Mr. Emanuel Redfield for the petitioner and by Mr. Aaron E. Koota for the respondent. Leave granted respondent to file a supplemental brief within two weeks with leave to the petitioner to reply within two weeks thereafter.

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Adjourned until Monday, November 22, next, at 12 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

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Joseph C. Zavatt, of Cedarhurst, N. Y., Julius Wolfson, of New York, N. Y., Benjamin H. Wicksel, of Woodmere, N. Y., Nathaniel Taylor, of Malverne, N. Y., Edward J. Speno, of East Meadow, N. Y., Henry A. Spelman, of Lynbrook, N. Y., Laurence Rosenthal, of New York, N. Y., John L. Skinner, of Glen Cove, N. Y., Jacob J. Pincus, of Glen Cove, N. Y., Francis J. Parks, of Sea Cliff, N. Y., William B. Hoffman, of Mineola, N. Y., Royd C. Lutz, of New York, N. Y., Roland A. Crowe, of Glen Cove, N. Y., George S. Eaton, Jr., of Mineola, N. Y., James F. Conway, of Rockville Centre, N. Y., Charles P. Buckley, Jr., of Freeport, N. Y., Irving Cahn, of Mineola, N. Y., William H. Cole, of Birmingham, Ala., Edward T. Brown, of New Hyde Park, N. Y., Max M. Greenfield, of East Hills, N. Y., John H. Sheahan, of New York, N. Y., and Abe Sherman, of Clarksdale, Miss., on motion of Mr. Solicitor General Simon E. Sobeloff; Allan R. Phipps, of Denver, Colo., on motion of Mr. Will Shafroth; William Francis Becker, of Washington, D. C., on motion of Mr. Leo A. Rover; James P. Goode, of New Haven, Conn., on motion of Mr. Albert M. Kuhfeld; Mary Goode Rogan, of Burbank, Calif., and Richard R. Rogan, of Burbank, Calif., on motion of Mr. K. Norman Diamond; James E. Harmon, of Champaign, Ill., Richard J. Faletti, of Urbana, Ill., Earl L. Palmberg, of Urbana, Ill., and Herman J. Obert, of Philadelphia, Pa., on motion of Mr. Reginald Carl Harmon; Harold H. McConnell, of North Vernon, Ind., on motion of Mr. Clarence M. Dinkins; Karl J. Schumer, of New York, N. Y., on motion of Mr. Burr Tracy Ansell; Daniel G. Marshall, of Los Angeles, Calif., on motion of Mr. David Rein; Marjorie Hanson Matson, of Pittsburgh, Pa., and Harry S. Kalson, of Pittsburgh, Pa., on motion of Murdaugh Stuart Madden; Irving E. Field, of Brooklyn, N. Y., on motion of Mr. Fritz L. Puls, Jr.; Louis Geo. Feldmann, of Hazleton, Pa., on motion of Mr. Mitchell Jenkins; Kenneth Harwell, of Nashville, Tenn., and R. B. Parker, Jr., of Nashville, Tenn., on motion of Mr. William M. Burkhalter; Robert G. Johnson, of Arlington, Va., on motion of Mr. Dominick Manoli; Charles W. Hackett, of Texarkana, Ark., on

motion of Mr. John L. McClellan; John J. McGrath, of Pittsburgh, Pa., on motion of Mr. William A. Kehoe, Jr.; Paul Nicholas Kokulis, of Washington, D. C., and George Thomas Mobbille, of Washington, D. C., on motion of Mr. Max C. Louis; Robert E. Brown, of Shelbyville, Ind., on motion of Mr. Burton F. Ellis; H. Charles Ephraim, of Washington, D. C., on motion of Mr. Aaron Alvis Layne, Jr.; Paul Taylor O'Neil, of Washington, D. C., on motion of Mr. James J. Shanley; Richard L. Jones, of Colonial Heights, Va., on motion of Mr. Irving R. M. Panzer; William K. Cole, of Hartford, Conn., on motion of Mr. David Lloyd Kreeger; and Richard A. Hollander, of Hyattsville, Md., on motion of Mr. Donal Lloyd Turkal, were admitted to practice.

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No. 19. National Union of Marine Cooks and Stewards, a Voluntary Association, petitioner, *v.* George Arnold et al. On writ of certiorari to the Supreme Court of the State of Washington. Judgment affirmed. Opinion by Mr. Justice Burton. Dissenting opinion by Mr. Justice Black in which Mr. Justice Douglas concurs.

No. 22. Samuel Berman and Solomon H. Feldman, Executors of the Estate of Max R. Morris, Deceased, appellants, *v.* Andrew Parker, John A. Remon, James E. Colliflower, et al. Appeal from the United States District Court for the District of Columbia. The judgment of the District Court, as modified by the opinion of this Court, is affirmed. Opinion by Mr. Justice Douglas.

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The Chief Justice said:

"The orders of this Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

No. 351. Louisiana Public Service Commission et al., appellants, *v.* United States of America, Interstate Commerce Commission, et al. Appeal from the United States District Court for the Eastern District of Louisiana. *Per Curiam*: The motions to affirm are granted and the judgment is affirmed.

No. 286, Misc. John H. McVeigh, appellant, *v.* State of Florida. Appeal from the Supreme Court of Florida. *Per Curiam*: The appeal is dismissed for the want of a substantial federal question.

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No. —. In the Matter of Milton R. Weinberger. The motion to amend the attorney's roll to show the change of name of Milton R. Weinberger to Milton R. Weir is granted.

## ORDER

In view of the absence of a full Court the cases of *Brown v. Board of Education of Topeka*; *Briggs v. Elliott*; *Davis v. County School Board of Prince Edward County*; *Bolling v. Sharpe*; and *Gebhart v. Belton*, Nos. 1, 2, 3, 4, and 5, now scheduled for argument December 6th, are continued.

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No. 261. Elizabeth R. Granville-Smith, petitioner, *v. Edward Granville-Smith*. Leave to submit this case without oral argument is denied. The case is restored to the docket for argument and Erwin N. Griswold, Esq., is invited to appear and present oral argument as *amicus curiae* in support of the judgment below.

No. 233. Interstate Commerce Commission, appellant, *v. Stone's Express, Inc.*; and

No. 363. St. Johnsbury Trucking Company, Inc., and Hinsch Transportation Co., Inc., appellants, *v. Stone's Express, Inc.* Appeals from the United States District Court for the District of Massachusetts. In these cases probable jurisdiction is noted and the cases are transferred to the summary calendar.

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No. 387. James P. Mitchell, Secretary of Labor, United States Department of Labor, petitioner, *v. C. W. Vollmer & Company, Inc.*; and

No. 394. In the Matter of Application of Ben G. Levy for Admission to Practice in United States District Court, Southern District of Texas, petitioner. Petitions for writs of certiorari to the United States Court of Appeals for the Fifth Circuit granted and cases are transferred to the summary calendar.

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No. 271. Fred Seltenreich and Hawley Evans, a Partnership, etc., et al., petitioners, *v. The Town of Fairbanks et al.* Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 382. Joao Simoes Barreiro, petitioner, *v. Herbert Brownell, Jr.*, Attorney General of the United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 386. J. Richard Kafes, petitioner, *v. United States of America*. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 388. Murray Talanker, petitioner, *v. United States of America*. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 389. Foreman & Clark, Inc., petitioner, *v. National Labor Relations Board*. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 392. Pure Foods, Inc., petitioner, *v. Minute Maid Corporation*. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 396. Milco Undergarment Co., Inc., and Bloomsburg Braiding Corporation, petitioners, *v. National Labor Relations Board*. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 398. John R. Lewis, Jr., petitioner, *v. United States of America*. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 384. United States of America, petitioner, *v. Jesse W. Hunter*. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas is of the opinion certiorari should be granted.

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No. 11, Original. The State of Mississippi, plaintiff, *v. The State of Louisiana*. Petition for rehearing of the motion for leave to intervene denied.

No. 736, October Term, 1953. Gretchen McRae, petitioner, *v. Tighe E. Woods, Acting Housing Expediter, Office of Housing Expediter*. Motion for leave to file a second petition for rehearing denied.

No. 79. Las Vegas Merchant Plumbers Association, Merchant Plumbers Exchange, Inc., et al., petitioners, *v. United States of America*;

No. 85. Andrija Artukovic, petitioner, *v. Rafo Ivancevic, Consul General of the Federal Peoples' Republic of Jugoslavia, et al.*;

No. 88. Margeret Shiver Williams, petitioner, *v. Carolina Life Insurance Company et al.*;

No. 111. H. J. Harris, George W. Hartman, Olen B. Hiner, et al., appellants, *v. Thomas B. Stanley, Governor of the Commonwealth of Virginia, et al.*;

No. 151. Samuel George Nilva et al., petitioners, *v. United States of America*;

No. 152. Ira W. Jayne et al., Judges of the Circuit Court of Wayne County, Michigan, et al., appellants, *v. City of Detroit et al.*;

No. 167. Joseph Pomprowitz, a Sole Trader, Doing Business as L. C. L. Transit Company, et al., appellants, *v.* United States of America and Interstate Commerce Commission;

No. 201. Frank Kuchin, petitioner, *v.* Chicago and North Western Railway Company;

No. 208. F. O. Wilemon et al., petitioners, *v.* City and County of Dallas Levee Improvement District et al.;

No. 221. Murphy Corporation and Natural Gas and Oil Corporation, petitioners, *v.* Rufus W. Fontenot, Collector of Revenue, State of Louisiana;

No. 245. Oliver V. Kessler, petitioner, *v.* Fauquier National Bank, as Administrator, C. T. A. of the Estate of Rose Meredith Kessler, Deceased, et al.;

No. 257. Hoxsey Cancer Clinic, a Partnership, and Harry M. Hoxsey, an Individual, petitioners, *v.* United States of America;

No. 272. Rose M. Anderson et al., petitioners, *v.* Douglas McKay, Secretary of the Interior;

No. 279. Walter J. Sawyer, petitioner, *v.* State of Wisconsin;

No. 291. William R. Bertelsen, petitioner, *v.* Brigadier General James B. Cooney;

No. 314. Roy Rogers, petitioner, *v.* Republic Pictures Corporation et al.;

No. 325. Insurance Company of North America, petitioner, *v.* The United States;

No. 21, Misc. Ann Rousseau, petitioner, *v.* Virginia Hurtado, Individually and as Executrix, etc., et al.;

No. 23, Misc. Clifford Funkhouser, petitioner, *v.* Loew's, Incorporated;

No. 45, Misc. Leonardo Salemi, petitioner, *v.* People of the State of New York;

No. 81, Misc. William MacLaren, petitioner, *v.* People of the State of New York; and

No. 82, Misc. Lawrence O'Connell petitioner, *v.* Joseph E. Ragen, Warden. Petitions for rehearing denied.

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No. 118, Misc. Linnie Jackson, petitioner, *v.* State of Alabama. Petition for writ of certiorari to the Court of Appeals of Alabama denied.

No. 174, Misc. Donald Hawkins Brown, petitioner, *v.* State of Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 219, Misc. Eugene Monahan, petitioner, *v.* State of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

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ORDER

Pursuant to the provisions of Title 28, U. S. C., § 42, It is ordered that Mr. Justice Frankfurter be, and he is hereby temporarily assigned to the Second Circuit as Circuit Justice.

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Adjourned until Monday, December 6, next, at 12 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

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Frederick W. Ford, of Clarksburg, West Va., and James F. McManus, of Levittown, N. Y., on motion of Mr. Solicitor General Simon E. Sobeloff; Ernest S. Brown, of Reno, Nev., on motion of Mr. Warren Olney III; William Hurt Erickson, of Denver, Colo., on motion of Mr. Allen C. Phelps; Robert S. Gruhn, of Wilmette, Ill., on motion of Mr. Bolitha J. Laws; John K. Corkhill, of Topeka, Kans., on motion of Mr. Jay Kyle; Madison Hauk Dean, of Morrilton, Ark., on motion of Mr. Brooks Hays; Joseph F. Spaniol, Jr., of Hyattsville, Md., on motion of Mr. Will Shafroth; Walter B. Langley, of Amsterdam, N. Y., on motion of Mr. Edmund C. Grainger, Jr.; Elmer M. Amundson, of Salem, Oreg., on motion of Mr. Frank H. Surine; John P. McClure, of Washington, D. C., and John B. Letterman, of Washington, D. C., on motion of Mr. John E. McClure; Robert L. Graham, Jr., of New York, N. Y., on motion of Mr. William H. Matthews, Jr.; Henry A. Blair, of Chicago, Ill., on motion of Mr. Warren Emerson Blair; Joseph Donald Craven, of Wilmington, Del., on motion of Mr. Louis Sherman; Walter Phipps, Jr., of Conshohocken, Pa., on motion of Mr. Thomas B. Lawrence; Joseph Charles Jackson, of Columbia, Tenn., on motion of Mr. John Putman Dinsmore; William James Gregg, of Silver Spring, Md., on motion of Mr. Francis P. Noonan; Edward G. Burstein, of Bridgeport, Conn., on motion of Mr. Theodore I. Seamon; Elreta Melton Alexander, of Greensboro, N. C., on motion of Mr. George H. Windsor; John Burke Turner, of Lexington, Ky., on motion of Mr. Donald T. Ruby; Buell Arnold Doelle, of Detroit, Mich., on motion of Mr. Gibbs Latimer Baker; William Andrew Groening, Jr., of Midland, Mich., on motion of Mr. John Chisman Hanes; Clare J. Streinz, of Washington, D. C., and Joseph Patrick Kearns, Jr., of Baltimore, Md., on motion of Mr. William John McMahon; Cecil Joseph Bishop, of Sacramento, Calif., Benjamin Landis, of Beverly Hills, Calif., and Alvin Landis, of Sacramento, Calif., on motion of Mr. Stewart French; Frederic L. Conway, Jr., of Malden, Mass., on motion of Mr. Daniel J. Hanlon; Howard J. Trienens, of Chicago, Ill., on motion of Mr. Stuart S. Ball; Edward B. Gregg, of San Francisco, Calif., on motion of Mr. Vernon Harden Doane; Leon Howard Hubbard, of Pontiac, Mich.,

Frank Robert Cook, Jr., of Washington, D. C., on motion of Mr. Belford Vance Lawson, Jr.; Richard Schifter, of Washington, D. C., on motion of Mr. Arthur Lazarus, Jr.; Reginald Frederick Pippin, Jr., of Dothan, Ala., on motion of Mr. James W. Irwin; Catherine B. Kelly, of Washington, D. C., on motion of Mr. William F. Kelly; Paul Dee Speer, of Chicago, Ill., on motion of Mr. Miles Dorwin Pillars; Robert L. Birdwell, of Oklahoma City, Okla., Hugh Coleman Nolen, of Okemah, Okla., and George R. Taylor, of Oklahoma City, Okla., on motion of Miss Vivien Irene McConnell; John T. Kelton, of New York, N. Y., on motion of Mr. Ellis Spear Middleton; Walter P. Hickey, of New York, N. Y., on motion of Mr. Robert H. Winn; Leo Papp, of Detroit, Mich., on motion of Mr. Wendell Lund; Sheldon Lowe, of New York, N. Y., on motion of Mr. Harry Friedman; Alston Jennings, of Little Rock, Ark., on motion of Mr. Edwin D. Dupree, Jr.; Robert G. Seeds, of Aurora, Ill., on motion of Mr. Samuel Lebowitz; Wesley W. Kergan, of Carmel, Calif., on motion of Mr. J. Gilmer Korner, Jr.; Irving D. Isko, of New York, N. Y., on motion of Mr. David Reich; Bernard J. Leggold, of Milwaukee, Wis., on motion of Mr. Eli E. Nobleman; David A. Nichols, of Lincolnville, Maine, on motion of Mr. William C. Lewis, Jr.; John P. Somers, of Tucson, Ariz., Daniel C. Mahoney, of Portland, Oreg., Spencer P. Nordyke, of Etiwanda, Calif., John Brennen Bennett, of Coral Gables, Fla., D. Elliott Whitlock, of San Bernardino, Calif., Don Hummel, of Tucson, Ariz., Kenneth C. Chatwin, of Phoenix, Ariz., John C. Haynes, Jr., of Tucson, Ariz., Charles C. Stidham, of Phoenix, Ariz., Richard G. Kleindienst, of Phoenix, Ariz., Leven B. Ferrin, of Mesa, Ariz., James Chambers Ford, of Los Angeles, Calif., Max Keith Estes, of Tucson, Ariz., Coburn T. Scholl, of Tucson, Ariz., David Feldman, of Long Beach, Calif., Robert Joseph McGowan, of Los Angeles, Calif., Robert Yost Schureman, of Los Angeles, Calif., James Beatty Davis, of Covington, Ky., Gordon Lee Lund, of Arcadia, Calif., Paul Harris, of Long Beach, Calif., William E. Sommer, of San Diego, Calif., Richard J. Weller, of San Bernardino, Calif., Edgar C. Keller, of San Bernardino, Calif., Jack T. Arnold, of Tucson, Ariz., and John M. Little, of Tucson, Ariz., on motion of Mr. Reginald Carl Harmon, were admitted to practice.

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No. 64. Odom Farrell Sullivan, petitioner, *v.* United States of America. On writ of certiorari to the United States Court of Appeals for the Tenth Circuit. Judgment affirmed and case remanded to the United States District Court for the District of Kansas. Opinion by Mr. Justice Minton.

No. 37. Marion L. Holland and Ethel E. Holland, petitioners, *v.* United States of America. On writ of certiorari to the United States

Court of Appeals for the Tenth Circuit. Judgments affirmed and case remanded to the United States District Court for the District of Colorado. Opinion by Mr. Justice Clark.

No. 18. David Friedberg, petitioner, *v.* United States of America. On writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Judgment affirmed and case remanded to the United States District Court for the Southern District of Ohio. Opinion by Mr. Justice Clark.

No. 52. Daniel Smith, petitioner, *v.* United States of America. On writ of certiorari to the United States Court of Appeals for the First Circuit. Judgment affirmed and case remanded to the United States District Court for the District of Massachusetts. Opinion by Mr. Justice Clark.

No. 25. United States of America, petitioner, *v.* Edward B. Calderon. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment of Court of Appeals reversed and case remanded to the United States District Court for the District of Arizona for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Clark. Dissenting: Mr. Justice Douglas.

No. 119. O'Neal Massey, petitioner, *v.* H. E. Moore, Warden. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment reversed with costs and case remanded to the United States District Court for the Southern District of Texas for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Douglas.

No. 38. United States of America, petitioner, *v.* Peter Brown. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment of Court of Appeals affirmed and case remanded to the United States District Court for the Southern District of New York. Opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Black in which Mr. Justice Reed and Mr. Justice Minton join.

No. 121. L. L. Moore, petitioner, *v.* Mead's Fine Bread Company, a Corporation. On writ of certiorari to the United States Court of Appeals for the Tenth Circuit. Judgment of Court of Appeals reversed with costs and judgment of District Court affirmed. The case is remanded to the United States District Court for the District of New Mexico. Opinion by Mr. Justice Douglas.

No. 21. Ray Brooks, petitioner, *v.* National Labor Relations Board. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment of Court of Appeals enforcing order of the National Labor Relations Board affirmed. Opinion by Mr. Justice Frankfurter.

No. 49. William J. Opper, petitioner, *v.* United States of America. On writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Judgment affirmed and case remanded to the United States District Court for the Southern District of Ohio. Opinion by Mr. Justice Reed. Mr. Justice Frankfurter concurs in the result. Dissenting: Mr. Justice Douglas.

No. 44. Latham Castle, Attorney General of the State of Illinois, et al., petitioners, *v.* Hayes Freight Lines, Inc. On writ of certiorari to the Supreme Court of the State of Illinois. Judgment affirmed. Opinion by Mr. Justice Black.

No. 6. B. Clinton Watson, et ux., petitioners, *v.* Employers Liability Assurance Corporation, Ltd., et al. Appeal from the United States Court of Appeals for the Fifth Circuit. Judgment of Court of Appeals reversed with costs and case remanded to the United States District Court for the Western District of Louisiana for proceedings in conformity with the opinion of this Court. The writ of certiorari is dismissed. Opinion by Mr. Justice Black. Concurring opinion by Mr. Justice Frankfurter.

No. 11. Lumbermen's Mutual Casualty Company, petitioner, *v.* Florence R. Elbert. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment affirmed and case remanded to the United States District Court for the Western District of Louisiana. Opinion by Mr. Chief Justice Warren. Concurring opinion by Mr. Justice Frankfurter.

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The Chief Justice said:

"The orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

No. 120. Jeremiah Reeves, Jr., petitioner, *v.* State of Alabama. On writ of certiorari to the Supreme Court of Alabama. *Per Curiam*: Judgment reversed. See *Canty v. Alabama*, 309 U. S. 629, and *Vernon v. Alabama*, 313 U. S. 547.

No. 356. Motor Freight Express et al., appellants, *v.* United States of America, Interstate Commerce Commission, and Branch Motor Express Company. Appeal from the United States District Court for the Middle District of Pennsylvania. *Per Curiam*: The motions to affirm are granted and the judgment is affirmed.

No. 378. Willmut Gas & Oil Company and Ohio Casualty Company of Hamilton, Ohio, appellants, *v.* Covington County, Mississippi. Appeal from the Supreme Court of Mississippi;

No. 381. Masters, Inc., appellant, *v.* General Electric Company. Appeal from the Court of Appeals of New York;

No. 407. Marke E. Chapman, Mrs. Ruth Muirhead, and Sam Jones Smith, appellants, *v.* City of Shreveport. Appeal from the Supreme Court of Louisiana; and

No. 250, Misc. Boyce M. Addington, appellant, *v.* State of Tennessee. Appeal from the Supreme Court of Tennessee. *Per Curiam:* The motions to dismiss are granted and the appeals are dismissed for the want of substantial federal question.

No. 416. Anthony G. "Amos" Amadio, petitioner, *v.* United States of America. On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit. *Per Curiam:* The petition for writ of certiorari is granted. The judgment is reversed and the case is remanded to the District Court with directions to dismiss the indictment on the ground that it does not come within the purview of the statute.

No. 427. C. R. Barnes et al., petitioners, *v.* The Akron, Canton & Youngstown Railroad Company et al. On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit. *Per Curiam:* The petition for writ of certiorari is granted. The judgment of the Court of Appeals is vacated and the case is remanded to the District Court for disposition agreeable to the representation of counsel for respondents.

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No. 193, Misc. James E. Marron, Jr., appellant, *v.* Joseph E. Ragen, Warden. The order entered in this case on November 8, 1954, is amended so as to read as follows: "*Per Curiam:* The appeal is dismissed for the want of jurisdiction. 28 U. S. C. § 1254 (2)."

No. 79, Misc. Lula Rimes Hall, a Widow, petitioner, *v.* B. A. Williams and Constance Williams. The motion for damages is denied.

No. 236. Commonwealth of Pennsylvania, petitioner, *v.* Steve Nelson. The petition as to printing the record is denied.

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No. 402. Marvin Stuart Walton, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the Superior Court of California, Appellate Department, in and for the County of Santa Clara, granted.

No. 405. In the Matters of Lee Roy Murchison and John White, petitioners. Petition for writ of certiorari to the Supreme Court of Michigan granted.

No. 417. Lewyt Corporation (now known as Lewyt Manufacturing Corporation), petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for

the Second Circuit granted limited to questions 1 and 2 presented by the application for the writ which read as follows:

"1. Whether, in the case of a taxpayer on the accrual basis, excess profits taxes paid within a taxable year constitute excess profits taxes 'paid or accrued within the taxable year' under § 122 (d) (6), § 122 (a) and § 122 (b) (1) of the Internal Revenue Code of 1939 ('the Code') dealing with the computation of the net operating loss deduction.

"2. Whether under Section 122 (d) (6) and § 122 (b) (1) of the Code the 'tax imposed by Subchapter E of Chapter 2' [the excess profits tax] 'accrued within the taxable year' is the excess profits tax computed on the basis of the facts existing at the end of such taxable year or whether it is the excess profits tax ultimately determined to be due after application of a carry-back arising in a later year and after giving effect to other circumstances arising in later years."

The case is transferred to the summary calendar and assigned for argument immediately following No. 10.

No. 180, Misc. Robert Cecil Bell, petitioner, *v.* United States of America. Motion for leave to proceed in forma pauperis granted. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit granted and case is transferred to the appellate docket.

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No. 362. Charles Cooper, petitioner, *v.* State of Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 393. Irving M. Rubenstein, a/k/a Irving M. Ruby, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 395. Mrs. Nellie Goins Hall, Widow of James Oscar Hall, Deceased, petitioner, *v.* First National Bank of Atlanta, Executor of the Estate of James Oscar Hall. Petition for writ of certiorari to the Court of Appeals of Georgia denied.

No. 400. The Chattanooga Station Company, petitioner, *v.* Lucy Massey, Admrx. of the Estate of Frank Massey. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 403. Thomas Eistrat, petitioner, *v.* Brush Industrial Lumber Company and John A. Brush. Petition for writ of certiorari to the Supreme Court and District Court of Appeals of California, Second Appellate District, denied.

No. 409. Joseph Kent Harrison, petitioner, *v.* Martha Harrison. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 410. Pacific Westbound Conference et al., petitioners, *v. Leval & Co., Inc.* Petition for writ of certiorari to the Supreme Court of Oregon denied.

No. 419. Max H. Barber and William L. Taylor, petitioners, *v. United States of America.* Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 421. Carl H. Chapman, Doing Business as Carl Chapman Fruit Company, petitioner, *v. James P. Mitchell, as Secretary of Labor, United States Department of Labor.* Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 422. Fort Mason Fruit Company, petitioner, *v. James P. Mitchell, as Secretary of Labor, United States Department of Labor.* Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 424. Myrtle J. Edwards et al., petitioners, *v. L. H. Barkhausen and Randolph Bohrer, Individually and Doing Business as the Doubleby Co., et al.* Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 87. Florence Van Hoff and Victor Berg, petitioners, *v. Redevelopment Agency of the City and County of San Francisco, a Public Body, etc., et al.* Motion to dispense with printing of the record granted. Petition for writ of certiorari to the District Court of Appeal of California, First Appellate District, denied. The Chief Justice took no part in the consideration or decision of these applications.

No. 411. Alice D. Wrather et al., petitioners, *v. The American University et al.* Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Black is of the opinion certiorari should be granted.

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No. 130. International Harvester Company, appellant, *v. State of Minnesota*;

No. 88, Misc. Eva P. DeFoe, petitioner, *v. National Capital Bank*;

No. 109, Misc. Geraldine V. DeFoe, petitioner, *v. National Capital Bank*; and

No. 215, Misc. Gilbert J. Stinchcomb, petitioner, *v. People of California et al.* Petitions for rehearing denied.

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No. 3, Misc. Charles P. O'Neil, petitioner, *v. John R. Cranor, as Supt.* Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 28, Misc. James T. Mickens, petitioner, *v.* Commonwealth of Virginia. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 38, Misc. Samuel Hodges, petitioner, *v.* Orel J. Skeen, Warden. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 55, Misc. Arthur Rookard, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 56, Misc. Herbert Mezo, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 62, Misc. Robert Cage, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 67, Misc. Mario J. DeLucia, petitioner, *v.* State of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 68, Misc. Roy Tarrence, petitioner, *v.* Commonwealth of Kentucky. Petition for writ of certiorari to the Court of Appeals of Kentucky denied.

No. 69, Misc. Leonard Tarrence, petitioner, *v.* Commonwealth of Kentucky. Petition for writ of certiorari to the Court of Appeals of Kentucky denied.

No. 86, Misc. Joseph Moyle, petitioner, *v.* Harley O. Teets, Warden, et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 92, Misc. Hugh Leonard Wood, petitioner, *v.* State of Utah. Petition for writ of certiorari to the Supreme Court of Utah denied.

No. 96, Misc. William Floyd Dunne, petitioner, *v.* John R. Cranor, Superintendent, Washington State Penitentiary. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 127, Misc. Darold J. White, petitioner, *v.* G. W. Humphrey, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 137, Misc. Alfred F. Trice, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 153, Misc. William H. Jackson, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 159, Misc. George H. Ashley, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 162, Misc. Joseph D. Daniels, petitioner, *v.* Joseph E. Ragen, Warden, Illinois State Prison. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 168, Misc. Harold Rush Elder, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 170, Misc. Jewell Lee Chenoweth, petitioner, *v.* People of the State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 176, Misc. Coy Thompson, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 177, Misc. Allen Dixon, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 187, Misc. Carl S. Seely, petitioner, *v.* Robert Heinze, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. 212, Misc. William Edward Fudge, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 222, Misc. Peter Paul Shank, petitioner, *v.* John R. Cranor, Superintendent, Washington State Penitentiary. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 223, Misc. Tony Garcia, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the District Court of Appeal of California, Fourth Appellate District, denied.

No. 228, Misc. James Clyde Meeks, petitioner, *v.* State of Iowa. Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. 229, Misc. Elmira Bradshaw et al., petitioners, *v.* Henry M. Marks et al. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 230, Misc. Anthony Chiarella, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 231, Misc. Leroy Harris, petitioner, *v.* State of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 232, Misc. Okie McCune, petitioner, *v.* Orel J. Skeen, Warden. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 237, Misc. Emery Joseph Roux, petitioner, *v.* W. Frank Smyth, Jr., Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 239, Misc. John Norman Clark, petitioner, *v.* Harley O. Teets, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. 240, Misc. Howard E. Johnson, petitioner, *v.* Lawrence Delmore, Jr., Superintendent of Washington State Penitentiary. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 246, Misc. Stanley C. Olsen, petitioner, *v.* Lawrence Delmore, Jr., Superintendent of the Washington State Penitentiary. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 251, Misc. Sigmund Pollack, petitioner, *v.* James T. Aspbury et al., etc., and R. Lewis Townsend, Contemnor. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 252, Misc. Homer Hodges, petitioner, *v.* William H. Bannan, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 253, Misc. Lawrence Mills, petitioner, *v.* People of the State of New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Fourth Department, denied.

No. 273, Misc. Louis M. Suttles, Chastine Beverly, and James L. Riggins, petitioners, *v.* Colonel James W. Davis, Commandant, etc. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 47, Misc. Lee Scalf, petitioner, *v.* Orel J. Skeen, Warden. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied without prejudice to an application for a writ of habeas corpus in an appropriate United States District Court.

No. 225, Misc. Lester L. Richter, petitioner, *v.* Edwin S. Swenson, Warden, et al. Petition for writ of certiorari to the Supreme Court of Minnesota denied. Motion for leave to file petition for writ of habeas corpus also denied.

No. 249, Misc. Albert Norman West, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Motion for leave to file petition for writ of mandamus also denied.

No. 121, Misc. Ex parte William H. Jackson, petitioner;

No. 199, Misc. Reyes Correa Negron, petitioner, *v.* Chesley H. Looney, Warden;

No. 213, Misc. Allen Dixon, petitioner, *v.* Joseph E. Ragen, Warden;

No. 224, Misc. Ex parte Willie Ray Watson, petitioner; and

No. 248, Misc. Sol Newstead, petitioner, *v.* Clarence Weismantel, Warden. Motions for leave to file petitions for writs of habeas corpus denied.

No. 181, Misc. Thomas Smith, petitioner, *v.* William H. Bannan, Warden. Motion for leave to file petition for writ of habeas corpus and petition for writ of certiorari denied.

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No. 203, Misc. Raymond Brown, petitioner, *v.* United States of America; and

No. 276, Misc. United States of America ex rel. Thomas C. Fitzgerald, petitioner, *v.* Hon. Sylvester J. Ryan, Judge, etc. Motions for leave to file petitions for writs of mandamus denied.

No. 241, Misc. Walter Furmanski, petitioner, *v.* William H. Bannan, Warden; and

No. 244, Misc. Anthony Baerchus, petitioner, *v.* Charles G. Day, Warden. Motions for leave to file petitions for writs of certiorari denied.

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ORDER

The Court will take a recess from today until Monday, January 10, 1955.

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Adjourned until Monday, January 10, 1955, at 12 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

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L. Stanley Harbeson, of Austin, Tex., Joseph Bodell Bergen, of Savannah, Ga., Donald G. Balthis, of Philadelphia, Pa., on motion of Mr. Solicitor General Simon E. Sobeloff; Philip Ephraim Heckerling, of Miami, Fla., and Louis Schneiderman, of Miami, Fla., on motion of Mr. Estes Kefauver; Doane F. Kiechel, of Superior, Nebr., on motion of Mr. Carl T. Curtis; C. George Anastos, of Alexandria, Va., on motion of Mr. John Marshall Butler; Stewart L. Udall, of Tucson, Ariz., Alfred C. Marquez, of Tucson, Ariz., Robert Claude Forquer, of Phoenix, Ariz., and Frank Babbitt Horne, of Mesa, Ariz., on motion of Mr. John J. Rhodes; Leith Howard Jaques, of Clearfield, Utah, on motion of Mr. William A. Dawson; James Dexter Harris, of Pasadena, Calif., on motion of Mr. James B. Utt; Bernard E. Vinardi, of Omaha, Nebr., Joseph Anthony Troia, of Omaha, Nebr., John C. Paulus, of Salem, Oreg., Grover W. Penberthy, of Salem, Oreg., William C. Craft, of Lincoln, Nebr., Robert B. Carmichael, of Springfield, Oreg., Irving B. Epstein, of Omaha, Nebr., John S. Sloma, of Omaha, Nebr., Sidney A. Milligan, of Eugene, Oreg., Harold V. Johnson, Jr., of Eugene, Oreg., Armando Henry Ferrari, of Omaha, Nebr., Louis Anthony Seminara, of Omaha, Nebr., Richard A. Tirro, of Omaha, Nebr., Joseph Paul Inserra, of Omaha, Nebr., Fred F. Ebener, of Omaha, Nebr., Eliot H. W. Thomas, of Glenwood, Iowa, Keith Dexter Skelton, of Eugene, Oreg., Charles O. Porter, of Eugene, Oreg., Frank C. McKinney, of Salem, Oreg., Frederick A. Morgan, Jr., of Salem, Oreg., Milton Robert Fromkin, of Omaha, Nebr., Robert Edward O'Connor, of Omaha, Nebr., Houghton Furr, of Loncoln, Nebr., Harry H. Foulks, Jr., of Omaha, Nebr., Jerome Paul Grossman, of Omaha, Nebr., Robert C. Fisk, of Omaha, Nebr., Seward Reese, of Salem, Oreg., Peter M. Gunnar, of Salem, Oreg., James E. Mathews, of Ashburn, Ga., Quincey W. Tucker, Jr., of Grove Hill, Ala., John W. Benbow, of Wichita Falls, Tex., John C. Chew, of Daytona Beach, Fla., Samuel C. Wexler, of New York, N. Y., and Donald A. Williams, of Windsor, N. C., on motion of Mr. Reginald Carl Harmon; William Robert Burt, of Bronxville, N. Y., on motion of Mr. Issiah Guymon Martin; George F. Westerman, of Darlington, Wis., on motion of Mr. Frederick Bernays Wiener; Donald H. Dickey, of Chicago, Ill.,

on motion of Mr. Edwin N. Logan; Nathaniel T. Helman, of New York, N. Y., on motion of Mr. Anthony P. Donadio; Ross G. Porter, of District Heights, Md., on motion of Mr. J. Edwin Hutchinson; Joseph Buch, of New York, N. Y., on motion of Mr. Philip Elman; Stanley Ries Schuchat, of St. Louis, Mo., on motion of Mr. Joseph Rotwein; Michael A. Schuchat, of Washington, D. C., on motion of Mr. Irwin Geiger; Sylvia B. Sternstein, of Brooklyn, N. Y., on motion of Mr. Herman Sternstein; Robert Todd Hays, Sr., of Louisville, Ky., on motion of Mr. Daniel O. Omer; Bernard J. Long, of Washington, D. C., on motion of Mr. George P. Lamb; George E. Duis, of Fargo, N. Dak., on motion of Mr. Thomas B. Collins; Jerome K. Kuykendall, of Olympia, Wash., on motion of Mr. Willard W. Gatchell; George L. Rodgers, Jr., of Portland, Oreg., on motion of Mr. Francis H. Gaskin, Jr.; J. Wooten Pearce, of Arlington, Va., on motion of Mr. Robert A. McGinnis; Edgar Anthony Pritchard, of Washington, D. C., on motion of Mrs. Una Rita Morris; Joseph F. Blasi, Jr., of New Orleans, La., on motion of Mr. Leonard Raum; John V. Whittenburg, of Stamford, Conn., on motion of Mr. Ellis Spear Middleton; Hugh Edward Smith, of Troy, N. Y., on motion of Mr. Earl G. Spiker; John Hopkins Heires, of Washington, D. C., and Hart Hunter Spiegel, of San Francisco, Calif., on motion of Mr. Tom Killefer; Pierce McConnell, of Cleveland Heights, Ohio, on motion of Mr. Errett G. Smith; Harlan Earl Grimes, of Grapeland, Tex., on motion of Mr. William J. Houston; Edwin Doran, of New York, N. Y. and Jackson Lintecum Kiser, of Galax, Va., on motion of Mr. Burton S. Ellis; Leonard F. Schmitt, of Merrill, Wis., and John D. LaBelle, of Manchester, Conn., on motion of Mr. John F. Lane; Hazel Palmer, of Sedalia, Mo., on motion of Miss Marguerite Rawalt; Florence F. Forgotson, of Red Bank, N. J., on motion of Mrs. Ida Simrall Als; Frank Pendleton Barker, Jr., of Kansas City, Mo., on motion of Mr. Samuel E. Neel; William N. Geagan, of Butte, Mont., on motion of Mr. B. K. Wheeler; Paul Thomas Key, of Columbus, Ohio, and J. Melvin Andrews, of Eastlake, Ohio, on motion of Mr. Horace Chapman Rose, were admitted to practice.

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No. 33. United States of America, petitioner, *v.* Michael P. Acri et al. On writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Judgment reversed and case remanded to the United States District Court for the Northern District of Ohio for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Minton.

No. 34. United States of America, petitioner, *v.* The Liverpool and London and Globe Insurance Company, Limited, et al. On writ of certiorari to the United States Court of Appeals for the Fifth Cir-

cuit. Judgment reversed and case remanded to the United States District Court for the Northern District of Texas for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Minton.

No. 35. United States of America, petitioner, *v.* R. P. Scovil, Dan Tasse, Inc., et al. On writ of certiorari to the Supreme Court of the State of South Carolina. Judgment reversed and case remanded to the Supreme Court of South Carolina for proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Minton.

No. 40. Bessie B. Cox and John G. Thompson, as Administrators of the Estate of Sid Cox, Deceased, et al., petitioners, *v.* Arthur Roth, as Administrator of the Estate of James Dean, Deceased. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment of the Court of Appeals affirmed and case remanded to the United States District Court for the Southern District of Florida. Opinion by Mr. Justice Clark.

No. 24. Commissioner of Internal Revenue, petitioner, *v.* Estate of Louis Sternberger, the Chase National Bank of the City of New York, Executor. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment of Court of Appeals reversed and case remanded to that Court for action in conformity with the opinion of this Court. Opinion by Mr. Justice Burton. Dissenting opinion by Mr. Justice Reed in which Mr. Justice Douglas joins.

No. 31. Baltimore Contractors, Inc., petitioner, *v.* Jacob H. Bodinger. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment of Court of Appeals affirmed and case remanded to the United States District Court for the Eastern District of New York. Opinion by Mr. Justice Reed. Mr. Justice Burton concurs in the judgment of the Court. Dissenting opinion by Mr. Justice Black in which Mr. Justice Douglas concurs.

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The Chief Justice said:

"The orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

No. 12. Hy Goldbaum, George Capri, and Edward Cooke, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit;

No. 13. Thomas W. Banks, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit;

No. 15. Austin F. McFee, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit;

No. 133. C. Maxwell Brown, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit;

No. 135. Robert Maxwell Watts, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit;

No. 209. Keith M. Beaty, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit;

No. 215. Jacob Strauch, Alex Strauch, and Harry Benjamin Sher, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit;

No. 249. Lester H. Burdick, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit; and

No. 622, October Term, 1953. David H. Mitchell, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit. *Per Curiam:* In Nos. 12, 13, 15, 133, 135, 209, 215, and 249 the petitions for certiorari are severally granted. In No. 622, October Term, 1953, the petition for rehearing is granted, the order denying certiorari is vacated, and the petition for writ of certiorari is granted. The judgments are vacated and the cases are remanded to their respective Courts of Appeals for consideration in the light of *Holland v. United States*, *Friedberg v. United States*, *Smith v. United States*, and *United States v. Calderon*, decided by this Court December 6, 1954.

We have not considered the merits of these cases, nor have we determined their relation to our recent opinions, *supra*, believing that reexamination by the Courts of Appeals is desirable even in those cases remotely involving the principles laid down in the net worth decisions.

Mr. Justice Black dissents.

No. 304, October Term, 1953. Elmer F. Remmer, petitioner, *v.* United States of America. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. *Per Curiam:* The motion for leave to file and the petition for rehearing are granted. This case is restored to the docket, and the whole record, including the findings and order of Judge Goodman, is remanded to the Court of Appeals for its consideration on the errors assigned when the case was before the Court of Appeals before, in order that the Court on the whole record may reconsider the case in the light of our recent decisions in *Holland v. United States*, *Friedberg v. United States*, *Smith v. United States*, and *United States v. Calderon*, and Judge Goodman's findings and order.

Mr. Justice Black would reverse the judgment of conviction and grant a new trial in view of the jury incident discussed in *Remmer v. United States*, 347 U. S. 227.

The Chief Justice took no part in the consideration or decision of this case.

No. 408. Ralph Lachman et al., appellants, *v.* The City of Miami Beach. Appeal from the Supreme Court of Florida; and

No. 415. Belridge Oil Company, appellant, *v.* City of Los Angeles. Appeal from the Supreme Court of California. *Per Curiam*: The motions to dismiss are granted and the appeals are dismissed for the want of a substantial federal question.

No. 446. Stapling Machines Company, appellant, *v.* A. H. Stone, Chairman, State Tax Commission. Appeal from the Supreme Court of Mississippi. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed.

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No. 316, Misc. State of Colorado, petitioner, *v.* William Lee Knous, Chief Judge of the United States District Court for the District of Colorado. A rule is ordered to issue, returnable Monday, February 7th, requiring the respondent to show cause why the petition for writ of prohibition or for a writ of mandamus should not be granted.

No. 10, Original. State of Arizona, plaintiff, *v.* State of California et al. The motion of the State of California for an allowance of time to file a brief in response to the briefs of Colorado, Wyoming, Utah, and New Mexico is granted. California is allowed thirty days from this date to file its brief in response. The Chief Justice took no part in the consideration or decision of this motion.

— International Longshoremen's & Warehousemen's Union *v.* National Labor Relations Board. The motion for an order *nunc pro tunc* extending time within which to file petition for certiorari is denied.

No. 4. Spottswood Thomas Bolling et al., petitioners, *v.* C. Melvin Sharpe et al. The motion for leave to file brief of Federation of Citizens Association of D. C. as *amicus curiae* is denied.

No. 199. Commissioner of Internal Revenue, petitioner, *v.* Glenshaw Glass Company and William Goldman Theatres, Inc. The motion for leave to file a brief of Dean Milk Co. as *amicus curiae* is denied.

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No. 451. Federal Communications Commission, petitioner, *v.* Allentown Broadcasting Corp. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit granted.

No. 454. Mastro Plastics Corp. and French-American Reeds Manufacturing Co., Inc., petitioners, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted.

No. 463. United States of America, petitioner, *v.* Twin City Power Company and William P. Dauchy, its Mortgagee. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit granted.

No. 445. Jew Sing, petitioner, *v.* Bruce G. Barber, District Director, Immigration and Naturalization Service, San Francisco District. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted and case transferred to the summary calendar.

No. 457. Corn Products Refining Company, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted limited to questions 1 and 2 presented in the petition for certiorari which read as follows:

"1. Are transactions in commodity futures which are not 'true hedges' capital asset transactions and thus subject to the limitations of Section 117 of the Internal Revenue Code of 1939, or do the resulting gains and losses from such transactions give rise to ordinary income and ordinary deductions? (1940) (1942)

"2. Are commodity futures contracts 'securities' and thus subject to the 'wash sales' provisions of Section 118 of the Internal Revenue Code of 1939? (1940) (1942)"

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No. 71. Joseph W. Clark, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 89. William B. Stayback, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 100. J. Baker Bryan and Mary Evelyn Bryan, petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 309. Vaughn H. Mitchell and Dorothy Mitchell, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 380. Cobra Manufacturing Company, petitioner, *v.* Harry J. Coffman. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 413. Kinnear-Weed Corporation, petitioner, *v.* Humble Oil and Refining Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 420. Martin L. Dowell et al., petitioners, *v.* The City of Tulsa et al. Petition for writ of certiorari to the Supreme Court of Oklahoma denied.

No. 423. Minnesota Mining & Manufacturing Company, a Delaware Corporation, petitioner, *v.* Gateway Decorators, Inc., an Illinois Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 425. Fanchon & Marco, Inc., petitioner, *v.* Paramount Pictures, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 426. Adam, Meldrum & Anderson Co., Inc., petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 428. H. A. Phillips, Trustee for the Douglass Sulphur Company, Bankrupt, petitioner, *v.* Texas and New Orleans Railroad Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 430. Alleghany Corporation, Investors Syndicate of America, Inc., et al., petitioners, *v.* James Foundation of New York, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 431. Florence B. Moses, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 433. Thomas Constance, petitioner, *v.* Arthur J. Harvey, Trustee in Bankruptcy of Francis Thomas Reilly. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 434. Georgia Kaolin Company, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 435. Manson L. Reichert, petitioner, *v.* Commissioner of Internal Revenue. Leave to withdraw appearance of Winfield K. Denton, Esquire, granted. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 437. William Frank Monroe, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 438. Syble H. Behrends, petitioner, *v.* Lena Marie Waide and Ray Waide. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 440. The City of Dallas and Dallas Chamber of Commerce, petitioners, *v.* Civil Aeronautics Board et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 441. People of the State of Illinois, ex rel. Lar Daly, Erick E. Bergquist and Jay Seals, petitioners, *v.* William G. Stratton, Governor of Illinois, et al. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 443. Blue Ridge Rural Electrical Cooperative, Inc., petitioner, *v.* James Earl Byrd. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 444. Arnaud's Restaurant, Inc., et al., petitioners, *v.* Thomas P. Cotter, Sr. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 449. St. Regis Paper Company, petitioner, *v.* George A. Stuart. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 452. William Dudley Pelley, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 453. Blanchard F. Robique and Theodore Kapsos, petitioners, *v.* George A. Lambert, U. S. Director of Internal Revenue for the State of Louisiana, etc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 455. Walter L. Irvin, petitioner, *v.* L. F. Chapman, Superintendent of Raiford State Penitentiary, Raiford, Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 456. Max Schmidt, petitioner, *v.* Albert Shell, Martha Shell, Arthur G. Johnston, et al. Petition for writ of certiorari to the District Court of Appeals of California, First Appellate District, denied.

No. 459. Anthony Lopiparo, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 461. Lawrence E. Gerosa (Substituted for Lazarus Joseph), Comptroller of the City of New York, et al., petitioners, *v.* The United Piece Dye Works. Petition for writ of certiorari to the Supreme Court of New York, New York County, denied.

No. 462. Halldora Kristin Sigurdson, petitioner, *v.* H. R. Landon et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 467. Charles Schiffman, petitioner, *v.* Fred T. Wilkinson, Warden, United States Penitentiary, McNeil Island, Washington. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 469. Charles E. Daboll, Jr., and Operative Plasterers' and Cement Masons' International Association, AFL, Local Union 797, petitioners, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 491. Chicago, Rock Island & Pacific Railroad Company, petitioner, *v.* Raymond C. Kifer. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 442. Elizabeth Gurley Flynn, Pettis Perry, Claudia Jones, et al., petitioners, *v.* United States of America. Motion to defer consideration of petition denied. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Black is of the opinion certiorari should be granted.

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No. 6. B. Clinton Watson, et ux., appellants, *v.* Employers Liability Assurance Corporation, Ltd., et al.;

No. 258. Mrs. Aaron (Celia) Funk, petitioner, *v.* Seaboard Air Line Railway Company;

No. 308. Walter Bitterling, petitioner, *v.* Maple Island Farm, Inc.;

No. 341. Walter Lee Hall, petitioner, *v.* John S. Battle, Governor of the Commonwealth of Virginia, et al.;

No. 342. Grady Alexander, petitioner, *v.* The State of Texas;

No. 349. Mary Cooley Roy, petitioner, *v.* Leonard C. Roy, Sr.;

No. 351. Louisiana Public Service Commission et al., appellants, *v.* United States of America, Interstate Commerce Commission, et al.;

No. 377. Jerome F. Duggan, Trustee of the Estate of Christopher Engineering Company, a Corporation, Debtor, et al., petitioners, *v.* Ida Magidson, Executrix of the Estate of Phil Magidson, Deceased;

No. 398. John R. Lewis, Jr., petitioner, *v.* United States of America;

No. 121, Misc. Ex parte, William H. Jackson, petitioner; and

No. 153, Misc. William H. Jackson, petitioner, *v.* United States of America;

No. 149, Misc. Hardy J. Owens, petitioner, *v.* Nathan Mayo, Prison Custodian;

No. 168, Misc. Harold Rush Elder, petitioner, *v.* United States of America;

No. 192, Misc. Calman Cooper, Nathan Wissner, and Harry A. Stein, petitioners, *v.* People of the State of New York;

No. 208, Misc. James E. Marron, Jr., petitioner, *v.* Joseph E. Ragen, Warden;

No. 210, Misc. Catherine L. Watson, petitioner, *v.* School District of McKeesport, Pennsylvania;

No. 213, Misc. Allen Dixon, petitioner, *v.* Joseph E. Ragen, Warden; and

No. 248, Misc. Sol Newstead, petitioner, *v.* Clarence Weismantel, Warden. Petitions for rehearing denied.

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No. 34, Misc. William O'Leary, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 124, Misc. Carl E. Owens, petitioner, *v.* Morris A. Abram, Warden, et al. Petition for writ of certiorari to the Supreme Court of New Mexico denied.

No. 133, Misc. Clifford G. Bailey, petitioner, *v.* Joseph R. Blalock, Superintendent, Southwestern State Hospital, Marion, Virginia. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 227, Misc. C. H. Worley, Jr., petitioner, *v.* United States of America et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 256, Misc. Archie L. Hampton, petitioner, *v.* State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 257, Misc. Edward A. Ross, petitioner, *v.* Lawrence Delmore, Jr., Superintendent of Washington State Penitentiary. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 258, Misc. Mason McCoy, petitioner, *v.* Orel J. Skeen, Warden. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 259, Misc. Robert Anderson, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the District Court of Appeal of California, Second Appellate District, denied.

No. 261, Misc. Mrs. Charlotte Worley, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 262, Misc. Henry Hooper, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 263, Misc. Richard J. Bifield, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the District Court of Appeal of California, Fourth District, denied.

No. 265, Misc. Anthony Adams, petitioner, *v.* Daniel E. Bergan, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois, denied.

No. 266, Misc. Carl Nickols, petitioner, *v.* Ross V. Randolph, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 268, Misc. Alfred L. Demarios, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois, denied.

No. 271, Misc. Carter Caldwell, petitioner, *v.* William H. Bannan, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 272, Misc. Thomas Kancar, petitioner, *v.* People of the State of New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 274, Misc. Lawrence F. Greene, Jr., petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 275, Misc. James Mason, petitioner, *v.* People of the State of New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, First Judicial Department, denied.

No. 277, Misc. Ernest Ollis, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Will County, Illinois, denied.

No. 278, Misc. Harrison Stewart, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 280, Misc. Bert Eugene Ferrell, petitioner, *v.* O. B. Ellis, General Manager, Texas Prison System. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 281, Misc. Alberta C. Magner, petitioner, *v.* Oveta Culp Hobby, Secretary of Health, Education and Welfare. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 282, Misc. Booker W. Davidson, petitioner, *v.* J. D. Buckman, Jr., Attorney General of Kentucky, et al. Petition for writ of certiorari to the Court of Appeals of Kentucky denied.

No. 283, Misc. Herman Howlery, petitioner, *v.* Ross V. Randolph, Warden. Petition for writ of certiorari to the Circuit Court of Randolph County, Illinois, denied.

No. 285, Misc. Rudolph Smith, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Will County, Illinois, denied.

No. 287, Misc. Thomas Kincheloe, petitioner, *v.* Fonzo Farmer. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 288, Misc. Lewis M. Horn, petitioner, *v.* People of the State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 289, Misc. Oscar Woods, petitioner, *v.* Orel J. Skeen, Warden. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 290, Misc. Gene Lee Loudon, petitioner, *v.* Orel J. Skeen, Warden. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 293, Misc. Ralph Quevreaux, petitioner, *v.* Ross V. Randolph, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 295, Misc. Edward J. Bell, petitioner, *v.* William H. Bannan, Warden. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 296, Misc. Gerald Byrne, petitioner, *v.* People of the State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 300, Misc. James A. Meacham, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 304, Misc. Custer M. Coyle, petitioner, *v.* Robert A. Heinze, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. 321, Misc. Robert P. Kushnic, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 322, Misc. Tannehill J. Monroe, petitioner, *v.* People of the State of New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, First Department, denied.

No. 324, Misc. Francis O'Halloran, petitioner, *v.* C. G. Day, Warden. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 325, Misc. Stanley Staniszewski, petitioner, *v.* People of the State of New York. Petition for writ of certiorari to the Appellate

Division of the Supreme Court of New York, Second Judicial Department, denied.

No. 343, Misc. Herman Howlery, petitioner, *v.* Criminal Court of Cook County, Illinois. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois, denied.

No. 22, Misc. John Edward Crockard, petitioner, *v.* Department of Corrections, State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied. Petition for other relief also denied.

No. 264, Misc. Almon W. Brewer, petitioner, *v.* State of Michigan et al. Petition for writ of certiorari to the Supreme Court of Michigan denied. Motion for leave to file petition for writ of habeas corpus also denied.

No. 310, Misc. Robert J. Koalska, petitioner, *v.* Edwin Swenson, Warden. Petition for writ of certiorari to the Supreme Court of Minnesota denied. Appeal dismissed and petition for writ of habeas corpus denied.

No. 393, Misc. Arthur Bary, Anna Bary, and Lewis Martin Johnson, petitioners, *v.* United States of America. Application for reduction of bail referred to the entire Court by Mr. Justice Clark denied. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit also denied.

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No. 254, Misc. Walter Love, petitioner, *v.* United States of America;

No. 298, Misc. Ronald L. Baxter, petitioner, *v.* Walter Tees, Warden; and

No. 314, Misc. Donald H. Lilyroth, petitioner, *v.* Joseph E. Ragen, Warden. Motions for leave to file petitions for writs of certiorari denied.

No. 301, Misc. Lou Henry Brimage, petitioner, *v.* Joseph E. Ragen, Warden. Motion for leave to file petition for writ of certiorari out of time denied.

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No. 267, Misc. Edward H. Bolesta, petitioner, *v.* Judge Sam J. Perry et al.;

No. 269, Misc. Bernard Ephraim, petitioner, *v.* Joseph E. Ragen, Warden, Illinois State Penitentiary;

No. 284, Misc. Ex parte in the Matter of William W. McCollum, petitioner;

No. 294, Misc. Troy Hall, petitioner, *v.* Ralph N. Eidson, Warden, etc., et al.;

No. 309, Misc. Burton F. Packer, petitioner, *v.* Captain James Maroney, Warden, et al.;

No. 328, Misc. William Howard Dunn, petitioner, *v.* C. H. Looney, Warden; and

No. 330, Misc. Kenneth Eugene Shores, petitioner, *v.* United States of America. Motions for leave to file petitions for writs of habeas corpus denied.

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No. 326, Misc. Sol Newstead, petitioner, *v.* Circuit Judge Waldo C. Mayfield et al. Motion for leave to file petition for writ of mandamus denied.

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## ORDER

The Court will take a recess from today until Monday, January 31, next.

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Adjourned until Monday, January 31, next, at 12 o'clock.

The day call for Monday, January 31, will be as follows: Nos. 32, 45, and 55.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

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Paul Brandeis, of Philadelphia, Pa., Morton H. Gould, of Washington, D. C., Harold Henry Fuhrman, of Milwaukee, Wis., Lawrence Gustav Wickert, of Milwaukee, Wis., Richard Barnard Dellheim, of Boston, Mass., Frank Daniel Branca, of Boston, Mass., and Fred Freedland, of New York, N. Y., on motion of Mr. Solicitor General Simon E. Sobeloff; Alvin R. Johanson, of Wheaton, Minn., on motion of Mr. Warren E. Burger; Kurt W. Melchior, of Chicago, Ill., on motion of Mr. H. Brian Holland; Lloyd Caldwell Hutchinson, of Indianapolis, Ind., Raymond O. Evans, of Crawfordsville, Ind., Frank L. Oliver, of Kokomo, Ind., James L. Miller, of Indianapolis, Ind., and Carl M. Franceschini, of Fowler, Ind., on motion of Mr. William E. Jenner; George Brinton Cavanagh, of Baltimore, Md., on motion of Mr. John Marshall Butler; Frances Gemes Millican, of Atlanta, Ga., Thomas Edwin Moran, of Atlanta, Ga., and John Wesley Weekes, of Decatur, Ga., on motion of Mr. Jas. C. Davis; Francis La Mar Forshee, of Long Beach, Calif., on motion of Mr. Craig Hosmer; Scott Bruce Berkeley, of Goldsboro, N. C., on motion of Mr. Samuel J. Ervin, Jr.; Robert Wright Wesley, of Macon, Ga., on motion of Mr. John James Flynt, Jr.; Walter H. Miller, of Los Angeles, Calif., on motion of Mr. Stewart French; Thomas M. Tracey, of Chicago, Ill., on motion of Mr. Henry P. Chandler; L. William Graham, of Gainesville, Fla., Wayne LaVerne Prim, of San Francisco, Calif., Mark Bigler Clark, of Pocatello, Idaho, Voy A. Winders, of Huron, S. Dak., Robert H. Cobb, of Gaffney, S. C., Heber Grant Ivins, of American Fork, Utah, Hugh E. Dobbs, of Ogden, Utah, Dallas F. Young, of Salt Lake City, Utah, Robert L. Newey, of Ogden, Utah, Robert B. Hansen, of Salt Lake City, Utah, George H. Searle, of Salt Lake City, Utah, Carl T. Griffith, of Salt Lake City, Utah, and Walter T. Stewart, of Salt Lake City, Utah, on motion of Mr. Albert M. Kuhfeld; Aaron J. Racusin, of New York, N. Y., and Sydney R. Racusin, of New York, N. Y., on motion of Mr. Herman Sternstein; Raul G. Mendez, of San Juan, P. R., on motion of Mr. Philip F. Herrick; Lionel Charles Epstein, of New York, N. Y., on motion of Mr. Oscar H. Davis; Stuart Edgar Gillespie, of Sherman, Tex., on motion of Mr. Thomas L. Wrenn; Lackland H. Bloom, of St. Louis,

Mo., on motion of Mr. Merrill Armour; John Stephan Nolan, of Washington, D. C., on motion of Mr. Robert N. Miller; William Gordon Neese, of New York, N. Y., on motion of Mr. Robert H. Hare; Woodruff Anderson Morey, of Harvey, Ill., on motion of Mr. Albert Henry Kirchner; Stanley Goldman, of New York, N. Y., on motion of Mr. Arden L. Andresen; Isidore S. Srebnick, of New York, N. Y., on motion of Mr. Myron Wiener; Dyer Justice Taylor, of Washington, D. C., on motion of Mr. Howard Cecil Kilpatrick; Earl R. Stanley, of Washington, D. C., on motion of Mr. Temple W. Seay; Walter H. Schneider, of Stamford, Conn., on motion of Mr. Ellis Spear Middleton; George Gowen Parry, Jr., of Philadelphia, Pa., on motion of Miss Beatrice Rosenberg; Hayden H. Dadd, of Attica, N. Y., on motion of Mr. Victor H. Kramer; and John W. Murphy, of St. Louis, Mo., on motion of Mr. Carter Fort, were admitted to practice.

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No. 29. The United States, petitioner, *v.* Koppers Company, Inc., Successor on Merger to Koppers United Company and Subsidiaries. On writ of certiorari to the United States Court of Claims; and

No. 41. Premier Oil Refining Company of Texas, petitioner, *v.* United States of America. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment in No. 29 reversed and case remanded to the United States Court of Claims for proceedings in conformity with the opinion of this Court. Judgment in No. 41 affirmed and case remanded to the United States District Court for the Northern District of Texas. Opinion by Mr. Justice Burton. Mr. Justice Reed and Mr. Justice Douglas dissent.

No. 36. The United States of America, appellant, *v.* Lee Shubert, Jacob J. Shubert, et al. Appeal from the United States District Court for the Southern District of New York. Judgment reversed and case remanded to the District Court for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Chief Justice Warren.

Mr. Justice Burton, retaining the views expressed in his dissent in the *Toolson* case, 346 U. S. 356, 357, joins the opinion and judgment of the Court in this case. Mr. Justice Reed joins in this concurrence.

Mr. Justice Minton agrees with the judgment in this case because, as it comes here on the pleadings, it is controlled by the *Hart* case. Whether the Government can prove its case now to the satisfaction of present courts, which it could not do in the *Hart* case, 12 F. 2d 341, remains to be seen.

No. 53. United States of America, appellant, *v.* International Boxing Club of New York, Inc., et al. Appeal from the United States District Court for the Southern District of New York. Judgment reversed and case remanded to the District Court for further proceed-

ings in conformity with the opinion of this Court. Opinion by Mr. Chief Justice Warren.

Mr. Justice Burton, retaining the views expressed in his dissent in the *Toolson* case, 346 U. S. 356, 357, joins the opinion and judgment of the Court in this case. Mr. Justice Reed joins in this concurrence.

Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Minton joins. Dissenting opinion by Mr. Justice Minton.

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The Chief Justice said :

"The orders appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

No. 429. Carl Traxler, appellant, *v.* State of Mississippi. Appeal from the Supreme Court of Mississippi. *Per Curiam*: The appeal is dismissed for want of jurisdiction. 28 U. S. C., § 1257 (2). The petition for writ of certiorari is denied.

No. 439. John W. Tocco, appellant, *v.* United States of America and Interstate Commerce Commission. Appeal from the United States District Court for the District of Oregon. *Per Curiam*: The motion to affirm is granted and the judgment is affirmed.

No. 460. Freeda Caroline Miller, also known as Freeda Miller, appellant, *v.* Public Service Company of Colorado et al. Appeal from the Supreme Court of Colorado; and

No. 464. Earl L. Stary et al., appellants, *v.* City of Brooklyn et al. Appeal from the Supreme Court of Ohio. *Per Curiam*: The motions to dismiss are granted and the appeals are dismissed for want of a substantial federal question.

No. 473. Gulf Oil Corporation, appellant, *v.* Lazarus Joseph, as Comptroller of the City of New York. Appeal from the Court of Appeals of New York. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed.

No. 488. Anderson Brothers Corporation, appellant, *v.* Board of Supervisors of Washington County, Mississippi. Appeal from the Supreme Court of Mississippi. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a properly presented federal question. The Chief Justice and Mr. Justice Black would dismiss for want of a substantial federal question.

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No. 468. Robert Cecil Bell, petitioner, *v.* United States of America. It is ordered that James R. Browning, Esquire, of Washington, D. C., a member of the bar of this Court, be appointed to serve as counsel for the petitioner in this case.

No. 131. J. W. Whitehouse, G. Orndorff, J. H. Sylvester, et al., petitioners, *v.* Illinois Central Railroad Company et al. The motion for

leave to file brief of American Train Dispatcher's Ass'n. et al., as *amici curiae* is granted. The Court calls this case to the attention of the National Mediation Board and expresses its readiness to accept any brief it might wish to submit.

No. 179. Cecil L. Courtney, Philip T. Ferris, and Ray Parks, petitioners, *v.* Ty Lockett. The motion to substitute Floyd Schroeder as party respondent in the place and stead of Ty Lockett is granted.

No. 204. Society for Savings in the City of Cleveland, appellant, *v.* John W. Peck, Tax Commissioner of Ohio. The motion to substitute Stanley J. Bowers as the party appellee in the place and stead of John W. Peck is granted. Mr. Justice Burton took no part in the consideration or decision of this motion.

No. 230. James P. Mitchell, Secretary of Labor, United States Department of Labor, petitioner, *v.* Joyce Agency, Inc. The motion of the Solicitor General to remove this case from the summary calendar is granted.

No. 263. The United States of America and the Secretary of Commerce as Successor of the Chairman of the United States Maritime Commission, petitioners, *v.* California Eastern Line, Inc. The motion for leave to file brief of Estate of Robert I. Gale et al., as *amici curiae* is denied.

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No. 549. Michael Nukk, Frank Borich, Joseph Siminoff, et al., appellants, *v.* Edward J. Shaughnessy, District Director of the Third District of the Immigration and Naturalization Service of the Port of New York. Appeal from the United States District Court for the Southern District of New York. In this case probable jurisdiction is noted.

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No. 399. Samuel Derektor, petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims granted.

No. 470. Althea G. Williams, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted and case transferred to the summary calendar.

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No. 109. Irvin B. Bewley, Mrs. Helen Witchell, and Elmer Sanders, petitioners, *v.* John Henderson. Petition for writ of certiorari to the Court of Appeals of Kentucky denied.

No. 458. Doris Perez et al., petitioners, *v.* Alice Trifiletti et al. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 471. George H. Brasier, petitioner, *v.* City of Lincoln, Nebraska, et al. Petition for writ of certiorari to the Supreme Court of Nebraska denied.

No. 474. Caltex (Philippines), Inc., petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 475. R. W. Ford, D. B. Cole, and B. F. Conaghan, petitioners, *v.* Hughes Tool Company. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 476. Rosa Griffin, Administratrix of the Estate of George Griffin, Sr., Deceased, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 480. J. Elroy McCaw and John D. Keating, petitioners, *v.* Earl W. Fase, The Tax Commissioner of the Territory of Hawaii. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 481. J. Elroy McCaw and John D. Keating, petitioners, *v.* Earl W. Fase, The Tax Commissioner of the Territory of Hawaii. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 482. Elgin, Joliet and Eastern Railway Company, petitioner, *v.* John Crowley, Charles Kern and Richard T. Criche. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 483. Daniel Lumber Company et al., petitioners, *v.* Empresas Hondurenas, S. A. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 484. Seymour Sales Company et al., petitioners, *v.* Federal Trade Commission. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 485. Perry Halseth, Individually and Trading as Perry Sales Company, petitioner, *v.* Federal Trade Commission. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 486. LaVeda Noonan, petitioner, *v.* New York Life Insurance Co. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 487. Continental Oil Company, petitioner, *v.* Cordelia Pearl Williams, Successor in Interest to Paul S. Williams, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 490. Lee Kwok Dun, by his next friend, Lee You Poy, petitioner, *v.* Herbert Brownell, Jr., Attorney General of the United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 492. Brown Land & Royalty Co., Inc., petitioner, *v.* Hattie C. Pickett et al. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 493. Leon R. Meyer, Lucile H. Meyer, and Leon R. Meyer, Transferee of Meyer Jewelry Company, petitioners, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 496. Minne M. Guyer, petitioner, *v.* Carol E. Elger, Administratrix of the Estate of George Elger, Deceased. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 510. W. H. Wilson, Executor of the Estate of Birdine Fletcher, Deceased, and Sisters of St. Francis, a Corporation, petitioners, *v.* A. J. Simler. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

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No. 236. Commonwealth of Pennsylvania, petitioner, *v.* Steve Nelson. Petition for rehearing on the order as to printing of the record denied. Petitioner's motion to include in the printed record additional portions of the trial proceedings granted.

No. 278. Ralph L. Born, petitioner, *v.* R. J. Laube, Administrator of the Estate of George Cease, Deceased, et al. Motion for leave to file petition for rehearing granted. Petition for rehearing denied.

No. 18. David Friedberg, petitioner, *v.* United States of America;

No. 37. Marion L. Holland and Ethel E. Holland, petitioners, *v.* United States of America;

No. 121. L. L. Moore, petitioner, *v.* Mead's Fine Bread Company, a Corporation;

No. 329. Thomas Rigging Company, petitioner, *v.* National Labor Relations Board;

No. 395. Mrs. Nellie Goins Hall, Widow of James Oscar Hall, Deceased, petitioner, *v.* First National Bank of Atlanta, Executor of the Estate of James Oscar Hall;

No. 403. Thomas Eistrat, petitioner, *v.* Brush Industrial Lumber Company and John A. Brush;

No. 56, Misc. Herbert Mezo, petitioner, *v.* People of the State of Illinois;

No. 177, Misc. Allen Dixon, petitioner, *v.* People of the State of Illinois;

No. 212, Misc. William Edward Fudge, petitioner, *v.* People of the State of California; and

No. 273, Misc. Louis M. Suttles, Chastine Beverly, and James L. Riggins, petitioners, *v.* Colonel James W. Davis, Commandant, etc. Petitions for rehearing denied.

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No. 250, Misc. Boyce M. Addington, appellant, *v.* State of Tennessee. Motion to modify the order entered in this case on December 6, 1954, granted and the order is modified so as to read as follows:

*“Per Curiam:* The motion to dismiss is granted and the appeal is dismissed for the want of a substantial federal question. Insofar as the papers whereon the appeal was taken seek review of rulings of the court below upon questions of the asserted denial of rights under the Federal Constitution which by themselves would not be subject to review by appeal, the papers are treated as a petition for writ of certiorari (28 U. S. C. § 2103), and certiorari is denied.”

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No. 83, Misc. William Taylor, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 331, Misc. Harry Feldon, petitioner, *v.* Dr. Marion R. King, Superintendent, California Medical Facility. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 334, Misc. Harry L. Cumberland, petitioner, *v.* Warden, Maryland Penitentiary. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 337, Misc. Henry Berman, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois denied.

No. 338, Misc. Leonard Palmore, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 339, Misc. Woodrow Nor Woods, petitioner, *v.* Harley O. Teets, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 342, Misc. Harry James Flynn, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 344, Misc. John Forsythe, petitioner, *v.* State of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 346, Misc. Paul J. Peltier, petitioner, *v.* People of the State of New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Judicial Department, denied.

No. 349, Misc. A. B. Farmer, petitioner, *v.* Orel J. Skeen, Warden. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 352, Misc. Raymond E. Hall, petitioner, *v.* O. B. Ellis, General Manager Texas Prison System, et al. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 354, Misc. LeRoy Nash, petitioner, *v.* George A. Cummings, Warden. Petition for writ of certiorari to the Supreme Court of Errors of Connecticut denied.

No. 355, Misc. Hilla B. Darden, petitioner, *v.* State of Texas et al. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 356, Misc. Robert V. Longley, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 357, Misc. Donald Castle Schwartz, petitioner, *v.* Robert A. Heinze, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. 358, Misc. In the Matter of Edmond C. Fletcher, petitioner. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 360, Misc. Robert Hendrickson, petitioner, *v.* Commonwealth of Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 361, Misc. Herman Howlery, petitioner, *v.* Ross V. Randolph, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 362, Misc. Wilfred Keys, petitioner, *v.* Charles G. Day, Warden. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 365, Misc. Thomas E. Watkins, Jr., petitioner, *v.* State of Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 367, Misc. George Lewis Moore, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois, denied.

No. 368, Misc. Renoto J. Lolli, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 369, Misc. Stanley Seltenrich, petitioner, *v.* Maurice H. Sigler, Warden. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 394, Misc. Herman Nash, petitioner, *v.* The City of New York. Petition for writ of certiorari to the Court of Appeals of New York and the Appellate Division of the Supreme Court of New York, First Department, denied.

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No. 217, Misc. Nicholas Medich, petitioner, *v.* United States of America;

No. 341, Misc. Bernard Ephraim, petitioner, *v.* Joseph E. Ragen, Warden; and

No. 345, Misc. Jesse Baley, petitioner, *v.* Morris Abram, Warden. Motions for leave to file petitions for writs of habeas corpus denied.

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No. 348, Misc. Sylvester R. Winston, petitioner, *v.* United States of America. Application denied.

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No. 350, Misc. Clarence E. Finnie, petitioner, *v.* United States of America;

No. 353, Misc. Lewis William Warren, petitioner, *v.* United States District Court for the Northern District of Texas; and

No. 363, Misc. Talbot Jennings, petitioner, *v.* Walter V. Schaefer et al. Motions for leave to file petitions for writs of mandamus denied.

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—, John Joseph Uckele, petitioner, *v.* United States. Motion denied.

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No. 32. State of California on relation of Edmund G. Brown, Attorney General, et al., petitioners, *v.* St. Louis Union Trust Company, a Corporation Organized Under the Laws of the State of Missouri. Argued by Mr. Walter H. Miller for the petitioners and by Mr. Milton Yawitz for the respondent. Memorandum to come from respondent.

No. 45. Federal Power Commission, petitioner, *v.* Colorado Interstate Gas Company. Argued by Mr. Assistant Attorney General Warren E. Burger for the petitioner and by Mr. James Lawrence White for the respondent.

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Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, February 1, will be as follows: Nos. 55, 250, 164, 69, and 251.

## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

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Malcolm Mecartney, of Chicago, Ill., on motion of Mr. Chauncey W. Reed; Edward J. Behrens, of Malvern, N. Y., on motion of Mr. Charles H. Lawson; Oscar Shalom Gray, of Hagerstown, Md., on motion of Mr. Stanley D. Metzger; Conrad Anthony Falvello, of Hazleton, Pa., on motion of Mr. Hayden C. Covington; Daniel G. Buckley, of Rockville Center, N. Y., on motion of Mr. C. George Anastos; Albert Vickers Bryan, Jr., of Alexandria, Va., and Neville G. Hall, Jr., of Alexandria, Va., on motion of Mr. Howard Worth Smith, Jr.; and Lewis Ansbacher, of Jacksonville, Fla., on motion of Mr. Harvey Rosenberg, were admitted to practice.

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No. 55. Indiana Department of State Revenue, Gross Income Tax Division, State of Indiana, petitioner, *v.* Mark E. Nebeker. Argued by Mr. Lloyd C. Hutchinson for the petitioner and by Mr. Raymond O. Evans for the respondent.

No. 250. Anthony Tony Sicurella, petitioner, *v.* United States of America. Argued by Mr. Hayden C. Covington for the petitioner and by Mr. John F. Davis for the respondent.

No. 164. Philip Andrew Witmer, petitioner, *v.* United States of America. Argued by Mr. Hayden C. Covington for the petitioner and by Mr. Julius F. Bishop for the respondent.

No. 69. Joe Valdez Gonzales, petitioner, *v.* United States of America. Argument commenced by Mr. Hayden C. Covington for the petitioner.

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Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, February 2, will be as follows: Nos. 69, 251, 97, and 203.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

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Ezra F. Ressman, of Chicago, Ill., and Mortimer M. Levin, of Chicago, Ill., on motion of Mr. John F. Davis; Don S. Caplinger, of Harrisburg, Ark., on motion of Mr. E. C. Gathings; Keith Eales, of Wichita, Kans., on motion of Mr. Edward Herbert Rees; Richard Clarke Ashby, of Chillicothe, Mo., Austin J. Gerber, of Washington, D. C., and Martin S. Drucker, of New York, N. Y., on motion of Mr. Morton S. Jaffe; Hamilton Hicks, of New York, N. Y., on motion of Mr. Donald Edward Van Koughnet; Ruth Mae Boxdorfer, of St. Louis, Mo., on motion of Mr. Robert A. Roessel; Oscar W. Gray, of Salt Lake City, Utah, on motion of Mr. Daniel O. Omer; Leon M. Frazier, of Provo, Utah, on motion of Mr. Perry H. Burnham; Harry Sena, of New York, N. Y., on motion of Mr. Irwin Geiger; Warner Moore, of Wichita, Kans., and Dale M. Stucky, of Wichita, Kans., on motion of Mr. Howard R. Fatzer; Williard S. Johnston, of San Francisco, Calif., on motion of Mr. Arthur B. Hanson, and Benjamin Rubenstein, of New York, N. Y., on motion of Mr. David E. Feller, were admitted to practice.

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No. 69. Joe Valdez Gonzales, petitioner, *v.* United States of America. Argument continued by Mr. Hayden C. Covington for the petitioner and concluded by Mr. John F. Davis for the respondent. Memoranda to come.

No. 251. Robert Simmons, petitioner, *v.* United States of America. Argued by Mr. Hayden C. Covington for the petitioner and by Mr. Robert W. Ginnane for the respondent.

No. 97. Lloyd Weber, Russell Davis, Walter Patrick, et al., petitioners, *v.* Anheuser-Busch, Inc. Argument commenced by Mr. Robert A. Roessel for the petitioner and continued by Mr. Mark D. Eagleton for the respondent.

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Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, February 3, will be as follows: Nos. 97, 203, 261, and 179.

SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

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Adlai E. Stevenson, of Chicago, Ill., on motion of Mr. Henry P. Chandler; Mervin C. Pollak, of New York, N. Y., on motion of Mr. Victor H. Kramer; Marvin Comisky, of Philadelphia, Pa., on motion of Mr. Milton V. Freeman; Louis Hoffman, of St. Thomas, V. I., on motion of Mr. Abe Fortas; Raymond C. Hitzel, of Roslyn, N. Y., on motion of Mr. Vincent J. Cuti; and Ansel F. Luxford, of Washington, D. C., and John W. Pehle, of Washington, D. C., on motion of Mr. Randolph E. Paul, were admitted to practice.

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No. 97. Lloyd Weber, Russell Davis, Walter Patrick, et al., petitioners, *v.* Anheuser-Busch, Inc. Argument continued by Mr. Mark D. Eagleton for the respondent and concluded by Mr. David E. Feller for the Congress of Industrial Organizations as *amicus curiae*.

No. 203. Frank Lewis, petitioner, *v.* United States of America. Argued by Mr. Walter E. Gallagher for the petitioner and by Miss Beatrice Rosenberg for the respondent.

No. 261. Elizabeth R. Granville-Smith, petitioner, *v.* Edward Granville-Smith. Argument commenced by Mr. Abe Fortas for the petitioner and continued by Mr. Erwin N. Griswold, as *amicus curiae* by invitation of the Court.

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Adjourned until tomorrow at 12 o'clock.

The day call for Friday, February 4, will be as follows: Nos. 261, 179, and 230.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

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Robert Ephraim Yount, of Phoenix, Ariz., on motion of Mr. Clarence Clifton Young; Irving D. Levin, of Chicago, Ill., and Irving M. Greenfield, of Chicago, Ill., on motion of Mr. Henry P. Chandler; Wyatt C. Brownlee, of Cleveland, Ohio, on motion of Mr. Will Shafroth; Fred M. Vinson, Jr., of Washington, D. C., on motion of Mr. F. Elwood Davis; Joseph Bernard Axelman, of Baltimore, Md., on motion of Mr. Burton F. Ellis; Charles Yeatman Latimer, of Fort Worth, Tex., on motion of Mr. Edward M. English; George Martin Sus, of Chicago, Ill., on motion of Mr. Victor Matthew Theis; Robert A. Sprecher, of Chicago, Ill., on motion of Mr. Stanford Clinton; William E. Reinhardt, of Ridgewood, N. J., on motion of Mr. Philip Elman; Louis O. Gravely, Jr., of Jacksonville, Fla., on motion of Mr. James R. Golden; Milton R. Henry, of Pontiac, Mich., on motion of Mr. Bedford Vance Lawson, Jr.; and Walter E. Beckjord, of Cincinnati, Ohio, on motion of Mr. Karl H. Michelet, were admitted to practice.

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No. 261. Elizabeth R. Granville-Smith, petitioner, *v.* Edward Granville-Smith. Argument continued by Mr. Erwin N. Griswold as *amicus curiae* by invitation of the Court and concluded by Mr. Abe Fortas for the petitioner. No brief for the respondent.

No. 179. Cecil L. Courtney, Philip T. Ferris, and Ray Parks, petitioners, *v.* Floyd Schroeder. Argued by Mr. Payne H. Ratner for the petitioners and by Mr. Dale M. Stucky for the respondent.

No. 230. James P. Mitchell, Secretary of Labor, United States Department of Labor, petitioner, *v.* Joyce Agency, Inc. Argued on suggestion of mootness and motion to join or substitute Goldblatt Bros., Inc., as a party by Mr. Stanford Clinton for the respondent and by Miss Bessie Margolin for the petitioner.

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Adjourned until Monday, February 7, next, at 12 o'clock.

The day call for Monday, February 7, will be as follows: Nos. 230, 159, 80, and 125.

## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

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Robert E. Andrews, of Gainesville, Ga., and Frank B. Stow, of Gainesville, Ga., on motion of Mr. Solicitor General Simon E. Sobeloff; William J. Kane, of Reno, Nev., and W. T. Mathews, of Carson City, Nev., on motion of Mr. Alan Bible; Lyle Edwin Cook, of Berkeley, Calif., on motion of Mr. Estes Kefauver; John J. McGrath, of Pittsburgh, Pa., on motion of Mr. John J. McGrath; Elridge Carper Huffman, of New Castle, Va., on motion of Mr. Henry P. Chandler; D. William Overton, of Kansas City, Kans., on motion of Mr. Errett P. Scrivner; Lawrence Osterman, of Salem, Oreg., on motion of Mr. Ralph H. Dwan; George Gordon Burroughs, of Edwardsville, Ill., on motion of Mr. Fred P. Schuman; James F. Haning, of Wewoka, Okla., on motion of Mr. Edmond A. Edmondson, Jr.; John Wise Scott, of Joplin, Mo., on motion of Mr. Newell Blair; John Marberger Stuart, of New York, N. Y., on motion of Mr. Francis H. Caskin III; Harold P. Green, of Chicago, Ill., on motion of Mr. Alan Y. Cole; August F. Brandt, of Detroit, Mich., on motion of Mr. Monroe Karasik; Richard J. Schoenfeld, Jr., of Boston, Mass., on motion of Mr. Edward A. Martin; Sidney E. Cohn, of New York, N. Y., on motion of Mr. Henry Kaiser; Franklin Poul, of Havertown, Pa., on motion of Mr. Francis T. Anderson; Richard B. Montgomery, of New Orleans, La., on motion of Mr. John L. Ingoldsby, Jr.; Edwin C. Aikens, of Jackson, Miss., Anthony Ortega, Jr., of New Orleans, La., George W. Smith, Jr., of Gainesville, Ga., George H. Montemayor, of Janesville, Wis., James E. Dotson, of Jefferson City, Mo., Marvin R. Vaughan, of Freeport, N. Y., Hugh J. Lacey, Jr., of Holyoke, Mass., William M. Burch II, of Pleasant Ridge, Mich., Jonathan David Hyams, of Detroit, Mich., Raphael J. Hogan, of Corning, Iowa, Charles Francis Gibson, of Canton, Mass., Edward L. Rutherford, of Nashville, Tenn., Edgar Perry Farnell, of Stonington, Conn., and Jerome Cooper Neveff, of New Haven, Conn., on motion of Mr. Reginald Carl Harmon, were admitted to practice.

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No. 14. United States of America, petitioner, *v.* Guy W. Capps, Inc. On writ of certiorari to the United States Court of Appeals

for the Fourth Circuit. Judgment affirmed and case remanded to the United States District Court for the Eastern District of Virginia. Opinion by Mr. Justice Burton.

No. 43. The Tee-Hit-Ton Indians, an Identifiable Group of Alaska Indians, petitioner, *v.* The United States. On writ of certiorari to the United States Court of Claims. Judgment of Court of Claims affirmed. Opinion by Mr. Justice Reed. Dissenting opinion by Mr. Justice Douglas in which the Chief Justice and Mr. Justice Frankfurter concur.

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The Chief Justice said:

"The orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

No. 32. State of California on Relation of Edmund G. Brown, Attorney General, et al., petitioners, *v.* St. Louis Union Trust Company, a Corporation Organized Under the Laws of the State of Missouri. On writ of certiorari to the St. Louis Court of Appeals of Missouri. *Per Curiam*: The writ of certiorari is dismissed as improvidently granted.

No. 55. Indiana Department of State Revenue, Gross Income Tax Division, State of Indiana, petitioner, *v.* Mark E. Nebeker. On writ of certiorari to the Supreme Court of Indiana. *Per Curiam*: Affirmed on the authority of *Freeman v. Hewitt*, 329 U. S. 249. Mr. Justice Black and Mr. Justice Douglas dissent.

No. 179. Cecil L. Courtney, Philip T. Ferris, and Ray Parks, petitioners, *v.* Floyd Schroeder. On writ of certiorari to the Supreme Court of Kansas. *Per Curiam*: The judgment is reversed and the case is remanded for proceedings not inconsistent with the opinion of this Court in *In re Oliver*, 333 U. S. 257.

No. 385. Mary I. Daniman, Meyer Case, Louis Cohen, et al., appellants, *v.* The Board of Education of the City of New York et al. Appeal from the Court of Appeals of New York. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a properly presented federal question. Mr. Justice Black would hold this case for the decision in No. 466, *Slochower v. Board of Education of the City of New York*.

No. 489. Dr. Carroll K. Davis, appellant, *v.* The Board of Regents of the University of the State of New York. Appeal from the Supreme Court of New York, Albany County. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a properly presented federal question. Mr. Justice Black and Mr. Justice Douglas dissent.

No. 31, Misc. Richard Willard Kay, petitioner, *v.* United States of America. On petition for writ of certiorari to the United States

Court of Appeals for the Sixth Circuit. *Per Curiam*: The motion for leave to proceed in forma pauperis and the petition for writ of certiorari are granted. Upon consideration of the Government's confession of error and examination of the record the judgment of the Court of Appeals is vacated and the case is remanded to the District Court for hearing on petitioner's motion to vacate the judgment.

No. 302, Misc. William Shamery, appellant, *v.* People of the State of Illinois. Appeal from the Supreme Court of Illinois. *Per Curiam*: The appeal is dismissed for want of jurisdiction. 28 U. S. C. § 1257 (2). Treating the papers whereon the appeal was taken as a petition for writ of certiorari as required by 28 U. S. C. § 2103, certiorari is denied.

No. 312, Misc. Chester Merrifield, appellant, *v.* Commonwealth of Kentucky. Appeal from the Court of Appeals of Kentucky. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of jurisdiction. 28 U. S. C. § 1257 (2). Treating the papers whereon the appeal was taken as a petition for writ of certiorari as required by 28 U. S. C. § 2103, certiorari is denied.

No. 327, Misc. William Sentner, Dorothy Rose Forest, Robert Manewitz, et al., petitioners, *v.* United States of America. On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit. *Per Curiam*: The motion for leave to proceed in forma pauperis and the petition for writ of certiorari are granted. The order of the Court of Appeals insofar as it denies petitioners leave to proceed in forma pauperis is reversed and the case is remanded to that Court for further proceedings. *Adkins v. DuPont Co.*, 335 U. S. 331.

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No. 406. Elie J. Boudoin, petitioner, *v.* Lykes Brothers Steamship Co., Inc. The motion for leave to file brief of American Merchant Marine Institute as *amicus curiae* is granted.

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No. 466. Harry Slochower, appellant, *v.* The Board of Higher Education of the City of New York. Appeal from the Court of Appeals of New York. In this case probable jurisdiction is noted.

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No. 504. United States, petitioner, *v.* Anderson, Clayton & Co. Petition for writ of certiorari to the United States Court of Claims granted and case transferred to the summary calendar.

No. 226, Misc. John Michel, petitioner, *v.* State of Louisiana. Motion for leave to proceed in forma pauperis granted. Petition for writ of certiorari to the Supreme Court of Louisiana granted and case transferred to the appellate docket.

No. 190. The Babcock & Wilcox Company, petitioner, *v.* Rea Forhan Pedrick, as Administratrix of the Estate of William J. Pedrick, Deceased. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 495. Central Mine Equipment Company, petitioner, *v.* The Bowdil Company. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 497. Robert E. Glasscott, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 539. J. Rupert Mason, petitioner, *v.* Summer Lake Irrigation District and Pueblo Trading Co. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 523. United Insurance Company of Chicago, Illinois, a Corporation, Charles Joseph, et al., petitioners, *v.* John R. Maloney, Individually and as Insurance Commissioner of the State of California. Petition for writ of certiorari to the District Court of Appeal of California, First Appellate District, denied. The Chief Justice took no part in the consideration or decision of this application.

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No. 473, October Term, 1953. Harry J. Alker, Jr., and Mamie DuBan, Individually and as Executrix of the Estate of Alfred A. DuBan, Deceased, petitioners, *v.* Butcher and Sherrerd and Fidelity-Philadelphia Trust Company, Trustee. Motion for leave to file a third petition for rehearing denied.

No. 672, October Term, 1953. Ivan N. Fraver, petitioner, *v.* The Studebaker Corporation. Motion for leave to file petition for rehearing denied.

No. 402, Misc., October Term, 1953. Edward Powell, petitioner, *v.* United States of America. Motion for leave to file a second petition for rehearing denied.

No. 165, Misc. Robert Allen Bobo, Jr., petitioner, *v.* The People of the State of California. Motion for leave to file petition for rehearing denied.

No. 227, Misc. C. H. Worley, Jr., petitioner, *v.* United States of America et al.; and

No. 261, Misc. Mrs. Charlotte Worley, petitioner, *v.* United States of America. Rehearing denied.

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No. 60, Misc. Robert L. Randall, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 98, Misc. Bradley McElhaney, petitioner, *v.* Ross V. Randolph, Warden. Petition for writ of certiorari to the Circuit Court of Randolph County, Illinois, denied.

No. 182, Misc. Leonard J. Baldwin, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 247, Misc. John Maulding, petitioner, *v.* O. B. Ellis and H. E. Moore, General Manager and Warden, etc. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 255, Misc. Andrew Reeves, Jr., petitioner, *v.* State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 260, Misc. Willard Williams, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 279, Misc. Fred Allen, petitioner, *v.* W. Frank Smyth, Jr., Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 297, Misc. Harold Green, petitioner, *v.* State of Colorado. Petition for writ of certiorari to the Supreme Court of Colorado denied.

No. 303, Misc. David W. Edgerly, petitioner, *v.* Martin H. Kennelly et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 305, Misc. W. H. Buckingham, petitioner, *v.* John R. Cranor, Superintendent of Washington State Penitentiary. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 317, Misc. Edward Brown, petitioner, *v.* Dr. Frederick S. Baldi, Superintendent of the Philadelphia County Prison, et al. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 318, Misc. Lawrence A. Markham, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 347, Misc. Sarah A. O'Leary, Administratrix, petitioner, *v.* United States Lines Company. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

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No. 299, Misc. Leverett Blackwell, petitioner, *v.* Joseph E. Ragen, Warden. Motion for leave to file petition for writ of habeas corpus denied.

## ORDER

The Court will take a recess from Monday, February 14, until Monday, February 28, next.

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No. 230. James P. Mitchell, Secretary of Labor, United States Department of Labor, petitioner, *v.* Joyce Agency, Inc. Argument on suggestion of mootness and motion to join or substitute Goldblatt Bros., Inc., as a party continued by Miss Bessie Margolin for the petitioner and concluded by Mr. Stanford Clinton for the respondent. Argued on the merits by Miss Bessie Margolin for the petitioner and by Mr. Stanford Clinton for the respondent.

No. 159. United States of America, appellant, *v.* Ernest King Bramblett. Argued by Mr. Charles F. Barber for the appellant and by Mr. Edward Bennett Williams for the appellee.

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Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, February 8, will be as follows: Nos. 80, 125, 150, and 153.

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SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

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James Weldon Buckner, of Murfreesboro, Tenn., on motion of Mr. Charles J. Zinn; Roy H. Steyer, of New York, N. Y., John Roberts Miller, of New York, N. Y., John F. Arning, of New York, N. Y., Robert Lockwood, of New York, N. Y., Robert MacCrate, of New York, N. Y., and Marvin Schwartz, of New York, N. Y., on motion of Mr. Arthur H. Dean; Lyle McLean Ward, of Salt Lake City, Utah, on motion of Mr. Arthur V. Watkins; Howard S. Whiteside, of Boston, Mass., on motion of Mr. John T. Sapienza; Edward Wingate Mullinix, of Philadelphia, Pa., on motion of Mr. Earl G. Harrison; Frank Hilliard Love, of Los Angeles, Calif., on motion of Mr. Joel David Wolfsohn; Saul Friedberg, of New York, N. Y., on motion of Mr. Louis Nizer; and L. Pat McGrath, of Pittsburgh, Pa., Joseph H. Ridge, of Pittsburgh, Pa., Peter F. Flaherty, of Pittsburgh, Pa., and James F. Smith, of Pittsburgh, Pa., on motion of Mr. John J. McGrath, were admitted to practice.

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No. 80. Federal Trade Commission, petitioner, *v.* Rhodes Pharmaceutical Company, Inc., et al. Argued by Mr. Daniel M. Friedman for the petitioner and by Mr. Edward Brodkey for the respondents.

No. 125. Wayne Harsh, petitioner, *v.* Illinois Terminal Railroad Company. Argued by Mr. Morris B. Chapman for the petitioner and by Mr. Fred P. Schuman and Mr. Harold G. Talley for the respondent.

No. 150. United States of America, ex rel. Audrey M. Toth, petitioner, *v.* Harold E. Talbott, Secretary of the United States Air Force. Argument commenced by Mr. William A. Kehoe, Jr., for the petitioner and continued by Mr. Marvin E. Frankel for the respondent.

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Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, February 9, will be as follows: Nos. 150, 153, 163, and 213.

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SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

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Elias W. Spengler, of Bath, Pa., and Alfred M. Nittle, of East Bangor, Pa., on motion of Mr. Francis E. Walter; Milton W. Swett, Jr., of Memphis, Tenn., Arthur L. Fuller, Jr., of Newnan, Ga., Herbert A. Turk, of Oklahoma City, Okla., and Herman C. Estes, of Camas, Wash., on motion of Mr. Perry H. Burnham; Andrew R. Martinez, of New Orleans, La., on motion of Mr. Odell Kominers; Henry A. Carrington, of Tampa, Fla., on motion of Mr. John J. O'Keefe; and Raymond H. Kierr, of New Orleans, La., and Samuel C. Gainsburgh, of New Orleans, La., on motion of Mr. John C. Ristine, were admitted to practice.

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No. 150. United States of America, ex rel. Audrey M. Toth, petitioner, *v.* Harold E. Talbott, Secretary of the United States Air Force. Argument continued by Mr. Marvin E. Frankel for the respondent and concluded by Mr. William A. Kehoe, Jr., for the petitioner.

No. 153. Securities and Exchange Commission, petitioner, *v.* Drexel and Company. Argued by Mr. William H. Timbers for the petitioners and by Mr. Arthur H. Dean for the respondent.

No. 163. Charles Lawlor and Mitchell Pantzer, Co-Partners Trading as Independent Poster Exchange, petitioners, *v.* National Screen Service Corporation et al. Argument commenced by Mr. Francis Anderson for the petitioners and continued by Mr. Louis Nizer for the respondent, National Screen Service Corp.

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Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, February 10, will be as follows: Nos. 163, 213, 263, and 131.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

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J. Greene M. Robinson, of Ashland, Ky., on motion of Mr. Fred M. Vinson, Jr.; Leonard McClelland Shinn, of Topeka, Kans., on motion of Mr. Anthony Thomas Dealy; John Alfred Ackerman, of Newark, N. J., on motion of Mr. Saul J. Zucker; William E. Wright, of New Orleans, La., on motion of Mr. Andrew R. Martinez; and Robert W. P. Holstrom, of Arlington, Va., on motion of Miss Dorothea Anna Baker, were admitted to practice.

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No. 163. Charles Lawlor and Mitchell Pantzer, Co-Partners Trading as Independent Poster Exchange, petitioners, *v.* National Screen Service Corporation et al. Argument continued by Mr. Louis Nizer for the respondent, National Screen Service Corp., and Mr. Earl G. Harrison for respondents, Columbia Pictures Corporation et al. and concluded by Mr. Francis Anderson for the petitioners.

No. 213. Indian Towing Company, Inc., et al., petitioners, *v.* United States of America. Argued by Mr. Richard B. Montgomery for the petitioners and by Mr. Lester S. Jayson for the respondent.

No. 263. The United States of America and the Secretary of Commerce as Successor of the Chairman of the United States Maritime Commission, petitioners, *v.* California Eastern Line, Inc. Argued by Mr. Oscar H. Davis for the petitioners and by Mr. Harold B. Finn for the respondent.

No. 131. J. W. Whitehouse, G. Orndorff, J. H. Sylvester, et al., petitioners, *v.* Illinois Central Railroad Company et al. Argument commenced by Mr. Milton Kramer for the petitioners.

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Adjourned until tomorrow at 12 o'clock.

The day call for Friday, February 11, will be as follows: Nos. 131 and 406.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

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John E. McKelvey, of Electra, Texas, on motion of Mr. Frank Ikard; Wendell Tennis, of Sullivan, Ind., on motion of Mr. Will Shafroth; Ellsworth Timms Horsley, of Chicago, Ill., on motion of Mr. Walter J. Cummings, Jr.; and Edwin Monroe Stanley, of Greensboro, N. C., on motion of Mr. Joseph H. Lesh, were admitted to practice.

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No. 131. J. W. Whitehouse, G. Orndorff, J. H. Sylvester, et al., petitioners, *v.* Illinois Central Railroad Company et al. Argument continued by Mr. Milton Kramer for the petitioners and by Mr. Walter J. Cummings, Jr., for the respondents and concluded by Mr. Milton Kramer for the petitioner.

No. 406. Elie J. Boudoin, petitioner, *v.* Lykes Brothers Steamship Co., Inc. Argued by Mr. Raymond H. Kierr for the petitioner and by Mr. Andrew R. Martinez for the respondent.

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Adjourned until Monday, February 14, next, at 12 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

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Isaac Kramer, of New York, N. Y., Joseph M. Herman, of New York, N. Y., Arthur Berliner, of New York, N. Y., and Max E. Schneider, of New York, N. Y., on motion of Mr. Solicitor General Simon E. Sobeloff; William B. Northrop, of New York, N. Y., Nelson Underwood, of New York, N. Y., Harry D. Guthrie, of New York, N. Y., and Samuel Nakasian, of Washington, D. C., on motion of Mr. William P. Rogers; John D. Eldridge, of Augusta, Ark., on motion of Mr. Wilbur D. Mills; William Pitt Shattuck, of Wheaton, Ill., on motion of Mr. Chauncey W. Reed; Joseph M. Sweeney, of Alexandria, Va., on motion of Mr. Adrian S. Fisher; James H. Rice, Jr., of Little Rock, Ark., on motion of Mr. Brooks Hays; Frank Carleton Mueller, Jr., of Seattle, Wash., Samuel M. Thomasson, Jr., of DeKalb, Miss., Leroy G. Cooper, of Shawnee, Okla., Fielding H. Ficklen, of Spokane, Wash., Hammitt E. Porter, of Spokane, Wash., George S. Vasil, of Spokane, Wash., Samuel Mandel, of Philadelphia, Pa., Frank M. Martin, of Spokane, Wash., and Warren W. Connor, of Oklahoma City, Okla., on motion of Mr. Reginald Carl Harmon; Willis M. McKeon of Malta, Mont., on motion of Mr. Lee Metcalfe; R. G. deQuevedo, of Washington, D. C., and Lyman Guettel Friedman, of Pittsburg, Kans., on motion of Mr. William E. Leahy; William O. Shank, of Hamilton, Ohio, and Albert L. Coles, of Bridgeport, Conn., on motion of Mr. I. Martin Leavitt; Joe Stamper, of Antlers, Okla., on motion of Mr. Peyton Ford; C. William Turner, of Washington, D. C., and John R. Swindler, of Washington, D. C., on motion of Mr. Charles P. Swindler; Clarence M. Pierson, of Lincoln, Nebr., on motion of Mr. C. Petrus Peterson; Walter E. Joyce, of Washington, D. C., on motion of Mr. Jasper S. Costa; Windle Francis Jarvis, of Albuquerque, N. Mex., on motion of Mr. Charles B. Murray; Mabel D. Haden, of Washington, D. C., on motion of Mr. George M. Johnson; Frank M. Lario, of Camden, N. J., on motion of Mr. Filindo B. Masino; Samuel B. Burnham, of Los Angeles, Calif., on motion of Mr. Sam Clammer; Charles L. Jones II, of New York, N. Y., on motion of Mr. Gray Thoron; Paul Pugh, of Oklahoma City, Okla., on motion of Mr. Roscoe Rizley, and Robert M. Peers, of New York, N. Y., on motion of Mr. Nestor Shea Foley, were admitted to practice.

The Chief Justice said :

"The orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

No. 80. Federal Trade Commission, petitioner, *v.* Rhodes Pharmaceutical Company, Inc., et al. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit. *Per Curiam*: The Court finds that the order of the Commission is not ambiguous. The judgment of the Court of Appeals, insofar as it modified paragraph 1 (c) of the Commission's order is reversed and the case is remanded to that court with instructions to restore the order of the Commission.

No. 125. Wayne Harsh, petitioner, *v.* Illinois Terminal Railroad Company. On writ of certiorari to the Supreme Court of Illinois. *Per Curiam*: Judgment reversed. *Lavender v. Kurn*, 327 U. S. 645.

No. 508. Southern Bakers Association, Inc., and Atlanta Baking Company, Inc., appellants, *v.* United States of America and Interstate Commerce Commission. Appeal from the United States District Court for the Northern District of Georgia. *Per Curiam*: The judgment is vacated and the case is remanded to the District Court with directions to dismiss the petition for review upon the ground that the cause is moot.

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No. 191. Natural Gas Pipeline Company of America, appellant, *v.* Panoma Corporation and the Corporation Commission of the State of Oklahoma; and

No. 321. Natural Gas Pipeline Company of America, appellant, *v.* The Corporation Commission of the State of Oklahoma et al. The motions to strike the brief of the appellant are denied.

No. 301. Engine Air Service, Inc., Lawrence A. Hauft, Lena P. Hauft, et al., petitioners, *v.* Israel G. Halpert, Trustee in Bankruptcy of the Carburetor Corporation, Bankrupt. The motion to postpone the argument in this case is granted.

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No. 477. The Liquid Carbonic Corporation, appellant, *v.* United States of America. Appeal from the United States District Court for the Eastern District of New York. In this case probable jurisdiction noted and case transferred to the summary calendar. Mr. Justice Clark took no part in the consideration or decision of this question.

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No. 479. Bernard B. Kanischer, petitioner, *v.* Irwin Operating Co. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 494. Rouben Goldman and Sylvia Goldman, petitioners, *v.* John M. Fogarty, Guardian ad Litem. Petition for writ of certiorari to the Probate Court of Essex County, Massachusetts, denied.

No. 498. Estate of Louis Goldstein, Ida Goldstein and Arnold Goldstein, Executrix and Executor, petitioners, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 499. The United States, petitioner, *v.* General Motors Corporation, Frigidaire Division; and

No. 511. General Motors Corporation, Frigidaire Division, petitioner, *v.* The United States. Petitions for writs of certiorari to the United States Court of Claims denied.

No. 500. James J. Gearon, Mary E. Gearon, and Mary E. Gearon, as Executrix of the Estate of Edward Gearon, Deceased, petitioners, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 503. United States Lines Company, petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 505. Arthur D. Bartron and Anna Katherine Bartron and Nicholas or Nick Ronca, petitioners, *v.* Delaware River Joint Toll Bridge Commission, etc. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 509. Mary A. Marsman, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 515. The Boston Metals Company, petitioner, *v.* Compania de Astral, S. A. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 516. Lennie Kane, Administratrix of the Estate of Charles Kane, Deceased, petitioner, *v.* Chicago, Burlington & Quincy Railroad Corporation. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 517. J. E. McCatron et al., Co-Partners, d/b/a Price Valley Lumber Co., et al., petitioners, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 531. Fialer's Limousines, Inc., and Airline Ground Transportation Association, Inc., petitioners, *v.* Public Utilities Commission of the State of California et al., etc. Petition for writ of certiorari to the Supreme Court of California denied.

No. 520. Ring Lardner, petitioner, *v.* Twentieth Century-Fox Film Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Clark took no part in the consideration or decision of this application.

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No. 158, Misc. Emery Lee Downs, petitioner, *v.* State of California. Petition for writ of certiorari to the District Court of Appeal of California, Third Appellate District, denied. The Chief Justice took no part in the consideration or decision of this application.

No. 204, Misc. In the Matter of the Application of Clara L. Heilman for a Writ of Habeas Corpus for Jack Arthur Heilman, Her Infant Son, petitioner. Petition for writ of certiorari to the Supreme Court of Kansas denied. The Chief Justice took no part in the consideration or decision of this application.

No. 307, Misc. Robert Marshall, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the Supreme Court of California denied. The Chief Justice took no part in the consideration or decision of this application.

No. 311, Misc. United States of America, *ex rel.* Roger Touhy, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

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No. 313, Misc. United States of America, *ex rel.* Roger Touhy, petitioner, *v.* William W. Kipp, Sr., United States Marshal, etc., et al. Motion for leave to file petition for writ of habeas corpus denied.

No. 316, Misc. State of Colorado, petitioner, *v.* William Lee Knous, Chief Judge of the United States District Court for the District of Colorado. Motion for leave to file petition for writ of prohibition or mandamus denied.

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Adjourned until Monday, February 28, next, at 12 o'clock.

The day call for Monday, February 28, will be as follows: Nos. 199, 114, 246, and 50.

## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

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Mary L. McDowell, of Bradford, Pa., Leslie Earl Dixon, of Baton Rouge, La., Stuart Rothman, of St. Paul, Minn., Eugene M. Feinblatt, of Baltimore, Md., and Theodore Rognald Dankmeyer, of Baltimore, Md., on motion of Mr. Solicitor General Simon E. Sobeloff; Bernard Wolfman, of Philadelphia, Pa., on motion of Mr. Samuel H. Levy; Willis King Batchelet, of Angola, Ind., on motion of Mr. E. Ross Adair; Hugo B. Rutili, of Chicago, Ill., and Donald J. Rizzio, of Chicago, Ill., on motion of Mr. Royal E. Jackson; Walter Reed Gage, Jr., of Manhattan, Kans., on motion of Mr. Andrew F. Schoepel; S. Arthur Schnitzer, of Jersey City, N. J., Frank E. Moss, of Salt Lake City, Utah, Clarence C. Neslen, of Salt Lake City, Utah, George Hal Taylor, of Salt Lake City, Utah, Clark Denney, of Cleveland, Ohio, Carl Arthur Hulbert, of Salt Lake City, Utah, Reese C. Anderson, of Salt Lake City, Utah, David Keith Watkiss, of Salt Lake City, Utah, J. Elmer Banks, of Salt Lake City, Utah, Morton N. Wekstein, of Yonkers, N. Y., Albert H. Kritzer, of Oceanside, N. Y., Bertram M. Winkler, of New York, N. Y., Amos B. Sharretts, of Garden City, N. Y., John F. Mooney, of New York, N. Y., Alfred A. Winograd, of New York, N. Y., John D. D'Apice, of Yonkers, N. Y., Abram Steinberg, of Suffern, N. Y., William J. Horner, Jr., of Jacksonville, Fla., George Coggill, of New York, N. Y., Dudley J. Clapp, Jr., of Garden City, N. Y., Russell S. Knapp, of New York, N. Y., Milton Seaman, of New York, N. Y., Joseph Nass, of New York, N. Y., Seymour K. Ackerman, of New York, N. Y., and William C. Bauer, Jr., of Brooklyn, N. Y., on motion of Mr. Reginald Carl Harmon; William J. Walker, of Little Rock, Ark., Harold G. Kennedy, of Marble Falls, Tex., Richard G. Strong, of San Antonio, Tex., Maxwell Higginbotham, of San Antonio, Tex., Thomas J. Gibson III, of Austin, Tex., Joseph P. Witherspoon, of Austin, Tex., Andrew V. Allison, of San Antonio, Tex., and Joseph Dudley Kidwell, Jr., of San Antonio, Tex., on motion of Mr. Francis La Mar Forshee; Reginald C. Smith, of Riverhead, N. Y., on motion of Mr. Dominick Blasi; Angelo Joe Piranio, of Dallas, Tex., on motion of Mr. Angelo Piranio; Raymond D. Sharp, of Atlanta, Ga., on motion of Miss Virginia Brennan; Edward M. Jaffa, of San Francisco, Calif., on motion of Mr. Melville Ehrlich;

John Henry Baumgarten, of New Orleans, La., on motion of Mr. Eugene M. Caffey; Arthur Alan Reich, of New York, N. Y., on motion of Mr. Robert I. Rudolph; Allen Byron Clark, of Little Rock, Ark., on motion of Mr. George E. Mickel; E. Cage Brewer, Jr., of Clarksdale, Miss., on motion of Mr. Eugene T. Liipfert; Edwin Wright Cooney, of New York, N. Y., and Dinsmore Adams, of New York, N. Y., on motion of Mr. John W. Pehle; Bernard L. Goodman, of Detroit, Mich., on motion of Mr. Jerome J. Dick; John S. Roberts, Jr., of Newport News, Va., on motion of Mr. Elgood Edward Stephens; Ralph Stickle, of Cleveland, Ohio, on motion of Mr. Paul R. Harmel; Robert Miller Thorniley, of Washington, D. C., on motion of Mr. P. Michael Cook; Ernest G. Bender, of Jackson Heights, N. Y., on motion of Mr. Vernon V. Baker; Jacob Friedberg, of New York, N. Y., on motion of Mr. Herbert S. Thatcher; Walter L. Nixon, Jr., of Biloxi, Miss., and Claude F. Pittman, Jr., of Hattiesburg, Miss., on motion of Mr. James W. Cassidy, Jr.; and Harry E. Sprogell, of Philadelphia, Pa., on motion of Mr. Richard Randall Lyman, were admitted to practice.

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No. 406. Elie J. Boudoin, petitioner, *v.* Lykes Brothers Steamship Co., Inc. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment of Court of Appeals reversed with costs and case remanded to the United States District Court for the Eastern District of Louisiana for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Douglas. Mr. Justice Reed concurs in the result on the ground of the negligence of the ship's officers.

No. 153. Securities and Exchange Commission, petitioner, *v.* Drexel and Company. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment of Court of Appeals reversed and case remanded to the United States District Court for the Southern District of New York for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Burton joins.

No. 7. Wilburn Boat Company et al., petitioners, *v.* Fireman's Fund Insurance Company. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgments of the Court of Appeals and the District Court reversed with costs and cause remanded to the United States District Court for the Eastern District of Texas for a trial under appropriate state law. Opinion by Mr. Justice Black. Opinion by Mr. Justice Frankfurter concurring in the result. Dissenting opinion by Mr. Justice Reed in which Mr. Justice Burton joins.

The Chief Justice said:

"The orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

No. 230. James P. Mitchell, Secretary of Labor, United States Department of Labor, petitioner, *v. Joyce Agency, Inc.* On writ of certiorari to the United States Court of Appeals for the Seventh Circuit. *Per Curiam*: The judgment of the Court of Appeals is reversed. *Kirschbaum v. Walling*, 316 U. S. 517; *Walling v. Jacksonville Paper Co.*, 317 U. S. 564; *Phillips Co. v. Walling*, 324 U. S. 490. The judgment of the District Court is affirmed, and the case is remanded to the District Court. The motion of the petitioner to make Goldblatt Bros., Inc., a party in this Court is denied without prejudice to the right of the petitioner to renew said motion in the District Court, or to take such other proceedings for enforcement of the judgment as the petitioner may deem advisable and proper in the circumstances. See *Walling v. Reuter, Inc.*, 321 U. S. 671.

No. 518. Aircooled Motors, Inc., appellant, *v. Arthur F. Williams.* Appeal from the Court of Appeals of New York. *Per Curiam*: The appeal is dismissed for want of a substantial federal question.

No. 530. LeRoy Smalls, Charles Bright, and Eva G. Mitchel, Administratrix of the Estate of Benjamin Mitchel, Deceased, petitioners, *v. Atlantic Coast Line Railroad Company.* On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit. *Per Curiam*: The petition for writ of certiorari is granted and the judgment is reversed. Mr. Justice Reed, Mr. Justice Burton, and Mr. Justice Minton dissent.

No. 532. *In re George Anastaplo*, appellant. Appeal from the Supreme Court of Illinois. *Per Curiam*: The appeal is dismissed for want of a substantial federal question. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Mr. Justice Black and Mr. Justice Douglas dissent.

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No. 9, Original. The State of Texas, plaintiff, *v. The State of New Mexico et al.* The report of the Special Master dated January 31, 1955, is received and ordered filed. Exceptions, if any, to the report of the Special Master may be filed by the parties within 60 days.

No. 10, Original. State of Arizona, plaintiff, *v. State of California et al.* The motion of California defendants for leave to file an amended answer is granted. The motion to join as parties, the States of Colorado, New Mexico, Utah, and Wyoming is hereby referred to George I. Haight, Special Master, to hear the parties and report with all convenient speed his opinion and recommendation as to whether the motion should be granted. The Chief Justice took no part in the consideration or decision of these motions.

No. 16. Silesian Holding Company et al., petitioners, *v.* Union Bank of Switzerland et al.; and

No. 17. Herbert Brownell, Jr., Attorney General of the United States as Successor to the Alien Property Custodian, petitioner, *v.* Union Bank of Switzerland et al. The motion to defer consideration of the petitions for certiorari until October 1, 1955 is granted.

No. 157. Ryan Stevedoring Co., Inc., petitioner, *v.* Pan-Atlantic Steamship Corporation. The motion for leave to file brief of American Merchant Marine Institute, Inc., as *amicus curiae* is denied. Mr. Justice Black and Mr. Justice Douglas would grant leave to file. The motion of the Government for leave to appear and present oral argument as *amicus curiae* is granted and one-half hour is allowed for that purpose.

No. 173. Amalgamated Clothing Workers of America et al., petitioners, *v.* The Richman Brothers Company. The motion of the Government for leave to appear and present oral argument as *amicus curiae* is granted and one-half hour is allowed for that purpose.

No. 184. Mac Q. Williamson, Attorney General of the State of Oklahoma, et al., appellants, *v.* Lee Optical of Oklahoma, Inc., et al.; and

No. 185. Lee Optical of Oklahoma, Inc., et al., appellants, *v.* Mac Q. Williamson, Attorney General of the State of Oklahoma. The motion for leave to file brief of Pennsylvania Optical Co., as *amicus curiae* is denied.

No. 236. Commonwealth of Pennsylvania, petitioner, *v.* Steve Nelson. The motion of the State of New Hampshire for leave to appear and present oral argument as *amicus curiae* is granted. The United States, having heretofore been requested to file a brief, is invited to argue orally.

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No. 512. S. Howes Company, Inc., appellant, *v.* W. P. Milling Company. Appeal from the Supreme Court of Oklahoma. In this case probable jurisdiction is noted.

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No. 436. United Gas Pipe Line Company, petitioner, *v.* Mobile Gas Service Corporation and Federal Power Commission; and

No. 556. Federal Power Commission, petitioner, *v.* Mobile Gas Service Corporation. Petitions for writs of certiorari to the United States Court of Appeals for the Third Circuit granted.

No. 529. W. W. Neese, Administrator of the Estate of William Neese, Deceased, petitioner, *v.* Southern Railway Company. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit granted.

No. 396, Misc. Clifton Alton Poret and Edgar Labat, petitioners, *v.* State of Louisiana. Motion for leave to proceed in forma pauperis and petition for writ of certiorari to the Supreme Court of Louisiana granted. The case is transferred to the appellate docket and assigned for argument immediately following No. 579.

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No. 506. Thomas Alfred Tamblyn, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 507. Davis Airfoils, Inc., petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 514. Central States Corporation, petitioner, *v.* Frank Luther, Trustee of the Estate of Garden Grain and Seed Company, Inc., Bankrupt. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 519. Alfred J. Ackerman, petitioner, *v.* Commonwealth of Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 524. Arthur T. Galt, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 527. Hazel Anna Wolf, petitioner, *v.* John P. Boyd, District Director, Immigration and Naturalization. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 533. Arthur Waitus, petitioner, *v.* State of South Carolina. Petition for writ of certiorari to the Supreme Court of South Carolina denied.

No. 535. Lee B. Schumacher, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 537. United States, ex Relator, Gladys Keefe, petitioner, *v.* John Foster Dulles, Secretary of State, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 540. The Dixie Terminal Company, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 541. Daniel Boscawen Vincent, Food Processes, Inc., and Dan B. Vincent, Inc., petitioners, *v.* Suni-Citrus Products Company and

Minute Maid Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 542. Fidelity & Casualty Company of New York, petitioner, *v.* Bank of Altonburg. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 545. Securities and Exchange Commission, petitioner, *v.* Transvision, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 546. Lou Johnson Co., Inc., Meier & Frank Co., Inc., Admiral Corporation, et al., petitioners. *v.* Moist Cold Refrigerator Co., Inc. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 547. Traders and General Insurance Company, a Corporation, petitioner, *v.* A. N. Edwards and H. E. Turpin. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 550. James F. Fogarty et al., petitioners, *v.* Carl J. Austrian and Robert G. Butcher, as Trustees of Central States Electric Corporation; and

No. 551. Harry J. Pasternak, as Executor of the Estate of Ralph Jonas, Deceased, petitioner, *v.* Carl J. Austrian and Robert G. Butcher, as Trustees of Central States Electric Corporation. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 553. Pearl Archer and Joseph Archer, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 557. Percy McIntire, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 568. Wayne S. Marteney, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

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No. 380. Cobra Manufacturing Company, petitioner, *v.* Harry J. Coffman;

No. 442. Elizabeth Gurley Flynn, Pettis Perry, Claudia Jones, et al. petitioners, *v.* United States of America;

No. 462. Halldora Kristin Sigurdson, petitioner, *v.* H. R. Landon et al.;

No. 471. George H. Brasier, petitioner, *v.* City of Lincoln, Nebraska, et al.;

No. 492. Brown Land & Royalty Co., Inc., petitioner, *v.* Hattie C. Pickett et al.; and

No. 360, Misc. Robert Hendrickson, petitioner, *v.* Commonwealth of Pennsylvania. Petitions for rehearing denied.

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No. 332, Misc. Edward L. Bradley, petitioner, *v.* Howard University et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 351, Misc. Philip Scasserra, petitioner, *v.* State of Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 364, Misc. Sigmund Pollack, petitioner, *v.* James T. Aspbury et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 370, Misc. James William Josey, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 382, Misc. Fred Bates, petitioner, *v.* Harley O. Teets, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. 383, Misc. Albert C. Johns, petitioner, *v.* State of Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 384, Misc. Burl Norwood, petitioner, *v.* Nathan Mayo, as State Prison Custodian of the State of Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 390, Misc. Charles T. Lester, Administrator, etc., petitioner, *v.* National Broadcasting Company, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 401, Misc. Edward Louis Pippin, petitioner, *v.* C. A. Edmondson, Warden. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 404, Misc. In the Matter of the Application of Nathan Willner, petitioner. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, First Judicial Department, denied.

No. 408, Misc. Russell J. Cromie, petitioner, *v.* Commonwealth of Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 409, Misc. In the Matter of George Hamilton Gibson, petitioner. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 410, Misc. James L. Presley, petitioner, *v.* Vernon L. Peppersack, Warden. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 424, Misc. Charles McDonald, petitioner, *v.* People of the State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 433, Misc. James Craig, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 434, Misc. Lee Bridges, petitioner, *v.* William H. Bannan, Warden, et al. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 436, Misc. Joseph K. France, petitioner, *v.* State of Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 437, Misc. Edwin M. Browning, petitioner, *v.* C. H. Looney, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

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No. 371, Misc. Kenneth B. McNees, petitioner, *v.* William H. Bannan, Warden;

No. 373, Misc. Bob Austin, Jr., petitioner, *v.* Ralph N. Eidson, Warden;

No. 385, Misc. Ex parte Charles Howell, petitioner; and

No. 386, Misc. W. A. Marshall, petitioner, *v.* United States of America. Motions for leave to file petitions for writs of habeas corpus denied.

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No. 379, Misc. Ben G. Pacheco, petitioner, *v.* State of Texas;

No. 392, Misc. Ex parte Charles Fleischman, petitioner; and

No. 432, Misc. In the Matter of Albert Van Pelt, petitioner. Motions for leave to file petitions for writs of mandamus denied.

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No. 199. Commissioner of Internal Revenue, petitioner, *v.* Glenshaw Glass Company and William Goldman Theatres, Inc. Argued for Mr. Solicitor General Sobeloff for the petitioner, by Mr. Max Swiren for respondent, Glenshaw Glass Co., and by Mr. Samuel H. Levy for respondent, William Goldman Theatres, Inc.

No. 114. General American Investors Company, Inc., petitioner, *v.* Commissioner of Internal Revenue. Argued by Mr. Norris Darrell for the petitioner and by Mr. Solicitor General Sobeloff for the respondent.

No. 50. William A. Bisso, Jr., Receiver, New Orleans Coal and Bisso Towboat Co., petitioner, *v.* Inland Waterways Corporation. Argued by Mr. Eberhard P. Deutsch for the petitioner and by Mr. Ralph S. Spritzer for the respondent.

No. 246. Paul W. Diehl, Jr., petitioner, *v.* Lehigh Valley Railroad Co., et al. Argument commenced by Mr. Harry M. Leet for the petitioner and continued by Mr. Richard R. Lyman for the respondents.

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Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, March 1, will be as follows: Nos. 246, 70, 210, 104, 48, and 105.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Cinton.

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J. Reuel Armstrong, of Rawlins, Wyo., on motion of Mr. Frank A. Barrett; Charles A. Boyle, of Chicago, Ill., on motion of Mr. James Cunningham Murray; John Paul Geneau, of Jacksonville, Fla., on motion of Mr. Timothy V. A. Dillon; Don J. McClenahan, of Boise, Idaho, on motion of Mr. Dwight T. Taylor; and Wesley G. Hall, of Chicago, Ill., on motion of Mr. Stanley L. Temko, were admitted to practice.

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No. 246. Paul W. Diehl, Jr., petitioner, *v.* Lehigh Valley Railroad Co. et al. Argument continued by Mr. Richard R. Lyman for the respondents and concluded by Mr. Harry M. Leet for the petitioner.

No. 70. Boston Metals Company, Formerly Named Boston Iron and Metal Company, as Owner of the Canadian Destroyer "St. Francis", petitioner, *v.* S/S "Winding Gulf" and Massachusetts Trustees of Eastern Gas and Fuel Associates. Argued by Mr. John H. Skeen, Jr., for the petitioner and by Mr. Charles S. Bolster for the respondents.

No. 210. United States of America, as Owner of the S. S. Christopher Gale, petitioner, *v.* Chris Nielson et al., Co-Partners Trading Under the Firm Name and Style of Dauntless Towing Line, as Owner of the Tug Dauntless #6. Argued by Mr. Ralph S. Spritzer for the petitioner and by Mr. Anthony V. Lynch, Jr., for the respondents.

No. 104. United States of America, petitioner, *v.* Richard Isaac Menasche. Argued by Mr. Gray Thoron for the petitioner and by Mr. Peyton Ford for the respondent.

No. 48. Louis Shomberg, petitioner, *v.* United States of America. Argued by Mr. Alan Y. Cole for the petitioner and by Mr. Gray Thoron for the respondent.

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Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, March 2, will be as follows: Nos. 105, 184 (and 185), and 367.

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SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

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Rollin Eldrid Bowles, of Portland, Oreg., and Robert Y. Thornton, of Salem, Oreg., on motion of Mr. Arthur Garfield Higgs; Robert Warren Murray, of Silver Spring, Md., and John Bright Fisher, of Charleston, W. Va., on motion of Mr. Clarence Worth Rowley, Jr.; LeRoy A. Powers, of Oklahoma City, Okla., and James C. Harkin, of Bartlesville, Okla., on motion of Mr. Philip B. Perlman; George Seymour Morgan, of Bethesda, Md., on motion of Mr. Edward Patrick Guinene; and Percy Don Williams, of Houston, Tex., on motion of Mr. Harry Tyson Carter, were admitted to practice.

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No. 105. Francis G. A. O'Neill, petitioner, *v.* The Baltimore and Ohio Railroad Company. Argued by Mr. C. Richard Grieser for the petitioner and by Mr. Robert F. Ebinger for the respondent.

No. 184. Mac Q. Williamson, Attorney General of the State of Oklahoma, et al., appellants, *v.* Lee Optical of Oklahoma, Inc., et al.; and

No. 185. Lee Optical of Oklahoma, Inc., et al., appellants, *v.* Mac Q. Williamson, Attorney General of the State of Oklahoma. Argued by Mr. James C. Harkin for the appellants in No. 184 and the appellees in No. 185, by Mr. Dick H. Woods for the appellees in No. 184 and the appellants in No. 185, by Mr. Herbert A. Bergson for the Guild of Prescription Opticians of America, Inc., et al., as *amici curiae* and by Mr. Philip B. Perlman for the American Optometric Association, Inc., et al., as *amici curiae*.

No. 367. Federal Power Commission, petitioner, *v.* The State of Oregon et al. Argument commenced by Mr. Willard W. Gatchell for the petitioner and continued by Mr. Arthur G. Higgs for the respondents.

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Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, March 3, will be as follows: Nos. 367, 387, 157, and 337.

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SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

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William F. Prioleau, Jr., of Columbia, S. C., on motion of Mr. J. Strom Thurmond; Joseph S. Lord III, of Philadelphia, Pa., on motion of Mr. James P. McGranery; Joseph F. Walsh, of Newark, N. J., and John J. Bracken, of Newark, N. J., on motion of Mr. Bennett Boskey; Clarice D. Kaufman, of Los Angeles, Calif., on motion of Mr. Seymour S. Guthman; William H. Lowery, of Philadelphia, Pa., on motion of Mr. H. Francis De Lone; John Patrick Donnelly, of Malden, Mass., on motion of Mr. John J. O'Keefe; William J. Lippman, of Washington, D. C., on motion of Mr. Marvin J. Coles; John C. Cochrane, of Toledo, Ohio, on motion of Mr. Richard W. Galiher; and Thomas H. Wall, of Washington, D. C., on motion of Mr. Earl R. Stanley, were admitted to practice.

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No. 367. Federal Power Commission, petitioner, *v.* The State of Oregon et al. Argument continued by Mr. Arthur G. Higgs for the respondents, by Mr. Rollin E. Bowles for the Oregon Division of the Izaak Walton League of America as *amicus curiae* and concluded by Mr. Willard W. Gatchell for the petitioner.

No. 387. James P. Mitchell, Secretary of Labor, United States Department of Labor, petitioner, *v.* C. W. Vollmer & Company, Inc. Argued by Mr. Stuart Rothman for the petitioner and by Mr. Eberhard P. Deutsch for the respondent.

No. 157. Ryan Stevedoring Co., Inc., petitioner, *v.* Pan-Atlantic Steamship Corporation. Argument commenced by Mr. Sidney A. Schwartz for the petitioner and continued by Mr. Edward J. Behrens for the respondent, by Mr. Leavenworth Colby for the United States as *amicus curiae*, by special leave of Court and by Mr. Sidney A. Schwartz for the petitioner.

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Adjourned until tomorrow at 12 o'clock.

The day call for Friday, March 4, will be as follows: Nos. 157, 337, 368, and 173.

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SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

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Frank J. Dowd, of Chicago, Ill., on motion of Mr. Barratt O'Hara; Franklin M. Schultz, of Washington, D. C., on motion of Mr. Louis F. Oberdorfer; Henry J. Bogatko, of New York, N. Y., on motion of Mr. I. Martin Leavitt; Martin J. Pearl, of Jacksonville, Fla., on motion of Mr. James R. Golden; Patrick De Leon, of Waterbury, Conn., on motion of Mr. Seymour Krieger; Arthur Manella, of Los Angeles, Calif., on motion of Mr. Randolph E. Paul; and Edward A. Pohost, of Washington, D. C., on motion of Mr. Edward M. Reidy, were admitted to practice.

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No. 157. Ryan Stevedoring Co., Inc., petitioner, *v.* Pan-Atlantic Steamship Corporation. Argument concluded by Mr. Sidney A. Schwartz for the petitioner. Leave granted petitioner to file brief in reply to brief of the United States by Thursday, next.

No. 337. Alexander Norwood, Joseph F. Tunstall, and John E. Smallwood, petitioners, *v.* Honorable William H. Kirkpatrick, etc. Argued by Mr. Joseph S. Lord III for the petitioners and by Mr. H. Francis De Lone for the respondent.

No. 368. Joseph P. Marcelle, petitioner, *v.* Estate of Raymond Lupia, Bruno Lupia and Amelia Lupia, Executors. Argument commenced by Mr. Lee A. Jackson for the petitioner. Court declined to hear further argument.

No. 173. Amalgamated Clothing Workers of America et al., petitioners, *v.* The Richman Brothers Company. Argument commenced by Mr. William J. Isaacson for the petitioners and continued by Mr. Philip Elman for the National Labor Relations Board as *amicus curiae*, by special leave of Court.

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Adjourned until Monday, March 7, next, at 12 o'clock.

The day call for Monday, March 7, will be as follows: No. 173.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

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John F. Murphy, of Santa Cruz, Calif., and Donald Mosure Stearns, of Washington, D. C., on the motion of Mr. Solicitor General Simon E. Sobeloff; Edward J. Hartman, of Cedar Rapids, Iowa, Donald J. Goode, of Des Moines, Iowa, John J. Shea, of Cedar Rapids, Iowa, James Vincent Sarcone, of Des Moines, Iowa, Sidney C. Levine, of Des Moines, Iowa, Edward H. Jones, of Des Moines, Iowa, James E. Franken, of Cedar Rapids, Iowa, Theron Grate, Jr., of Des Moines, Iowa, William Carl Hoffmann, Jr., of Des Moines, Iowa, Dale S. Misdine, of Des Moines, Iowa, James P. Irish, of Altoona, Iowa, Robert E. Conley, of Des Moines, Iowa, John C. O'Byrne, Jr., of Iowa City, Iowa, Harold J. Crawford, of Des Moines, Iowa, Harris M. Coggeshall, of Des Moines, Iowa, and Albert L. Wensel, of Des Moines, Iowa, on motion of Mr. Thomas Ellsworth Martin; Albert Arthur Goldfarb, of Detroit, Mich., on motion of Mr. Thaddeus M. Machrowicz; Thomas Edwin James, of Austin, Texas, on motion of Mr. Homer Thornberry; John Power Holloway, of Boulder, Colo., on motion of Mr. Will Shafroth; James V. Cunningham, of Peoria, Ill., Scott Ging, of Indianapolis, Ind., Nelson G. Grills, of Indianapolis, Ind., Newell C. Munson, of Indianapolis, Ind., Paul C. Zempel, of Lewistown, Ill., Guy Rhodes Williams, of Havana, Ill., David C. McCarthy, of Peoria, Ill., H. William Irwin, of Indianapolis, Ind., Harry J. Harman, of Indianapolis, Ind., Floyd R. Mannon, of Indianapolis, Ind., Robert H. McKinney, of Indianapolis, Ind., John M. Harrigan, of Indianapolis, Ind., Richard W. Yarling, of Indianapolis, Ind., Harry E. Riddell, of Indianapolis, Ind., James J. Stewart, of Indianapolis, Ind., and Robert H. Orbison, of Indianapolis, Ind., on motion of Mr. Francis La Mar Forshee; James W. Strudwick, of Tuscaloosa, Ala., Roger H. Miller, of North Vernon, Ind., James S. Cheney, of Marietta, Ga., John F. Hannigan, of New York, N. Y., Joseph K. Grigsby, of Orlando, Fla., Ellis L. Gottlieb, of Atlantic City, N. J., Henry Stanley Lewis, Jr., of Guthrie, Okla., Herbert C. Swigert, of Washington, D. C., Clement J. Wall, of Chicago, Ill., Joe DeLay Taylor, of Champaign, Ill., Richard S. Casale, of Brooklyn, N. Y., and Donald C. Dickson, Jr., of Shreveport, La., on motion of Mr. Reginald Carl Harmon; Reuben Loaner, of Arlington, Va., on motion of Mr. Daniel M. Friedman; Theodore Wurmser, of Louisville,

Ky., on motion of Mr. M. H. Thatcher; Joseph Volpe, Jr., of Newark, N. J., on motion of Mr. Bennett Boskey; John B. Martineau, of Chicago, Ill., on motion of Mr. Perry S. Patterson; Philip Hawley Smith, of Easton, Conn., Edgar P. Stocker, of Cleveland, Ohio, and Robert F. Maskey, of Cleveland, Ohio, on motion of Mr. I. Martin Leavitt; Ralph W. Kalish, of St. Louis, Mo., on motion of Mr. Thomas B. Collins; John P. Lomenzo, of Rochester, N. Y., on motion of Mr. Laurence E. Seibel; Robert B. Harmon, of Silver Spring, Md., on motion of Mr. Paul Max Craig, Jr.; Vincent A. Pepper, of Washington, D. C., on motion of Mr. Vincent B. Welch; George H. Cohen, of New York, N. Y., on motion of Mr. Warren W. Grimes; Samuel Efron, of Allentown, Pa., on motion of Mr. Monroe Karasik; James Macaulay Wallace, Jr., of Bradenton, Fla., on motion of Mr. Erle R. Stanley; A. Lillian C. Kennedy, of Washington, D. C., and Eugene A. Chase, of Washington, D. C., on motion of Mr. Frank D. Reeves; and Jess Larson, of Washington, D. C., on motion of Mr. Alan Y. Cole, were admitted to practice.

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No. 30. The National City Bank of New York, petitioner, *v.* The Republic of China et al. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment of Court of Appeals reversed with costs and case remanded to the United States District Court for the Southern District of New York with directions to reinstate the counterclaims and for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Frankfurter. Dissenting opinion by Mr. Justice Reed in which Mr. Justice Burton and Mr. Justice Clark join. Mr. Justice Douglas took no part in the consideration or decision of this case.

No. 263. The United States of America and the Secretary of Commerce as Successor of the Chairman of the United States Maritime Commission, petitioners, *v.* California Eastern Line, Inc. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment reversed and case remanded to the Court of Appeals for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Black. Mr. Justice Douglas dissents.

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The Chief Justice announced the following orders of the Court:

No. 105. Francis G. A. O'Neill, petitioner, *v.* The Baltimore and Ohio Railroad Company. On writ of certiorari to the United States Court of Appeals for the Sixth Circuit. *Per Curiam*: The judgment of the Court of Appeals is reversed and the case is remanded to the District Court with instructions to reinstate its order dated July 30, 1952.

No. 368. Joseph P. Marcelle, petitioner, *v.* Estate of Raymond Lupia, Bruno Lupia and Amelia Lupia, Executors. On writ of certiorari to the United States Court of Appeals for the Second Circuit. *Per Curiam*: We reject the construction placed upon the statute by the Fifth Circuit and approve the construction placed thereon by the Second Circuit whose judgment is affirmed.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

No. 525. Ralph Becker, petitioner, *v.* United States of America. On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit. *Per Curiam*: The petition for writ of certiorari is granted and the judgment is reversed. *Mortensen v. United States*, 322 U. S. 369.

No. 534. Ben Sapir, petitioner, *v.* United States of America. On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit. *Per Curiam*: The petition for writ of certiorari is granted. We believe that the judgment of the Court of Appeals of October 20, 1954, reversing and remanding this cause with instructions to dismiss the indictment was correct. It is not necessary for us to pass on the question presented under its subsequent judgment of November 17, 1954, directing a new trial. We vacate the latter judgment, which directed the new trial, and we reinstate the former one which instructed the trial court to dismiss the indictment. Concurring opinion by Mr. Justice Douglas.

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No. 412. Aubry Williams, petitioner, *v.* State of Georgia. Eugene Gressman, Esquire, of Washington, D. C., is invited to appear and present oral argument as *amicus curiae* in support of the petitioner.

No. 23. Robert A. McAllister, petitioner, *v.* United States of America. The application for an order of modification of the judgment is denied.

No. 157. Ryan Stevedoring Co., Inc., petitioner, *v.* Pan-Atlantic Steamship Corporation. The motion for leave to file brief of Association of American Ship Owners as *amicus curiae* is denied.

No. 184. Mac Q. Williamson, Attorney General of the State of Oklahoma, et al., appellants, *v.* Lee Optical of Oklahoma, Inc., et al. The motion of American Committee on Optics and Visual Physiology and others for leave to join in brief of the Guild of Prescription Opticians of America, Inc., as *amicus curiae* is granted.

No. 451. Federal Communications Commission, petitioner, *v.* Allentown Broadcasting Corp. The motion for leave to file brief of Easton Publishing Co., as *amicus curiae* is denied.

No. 333. Anthony Pino, petitioner, *v.* Henry Nicolls, District Director of Immigration and Naturalization Service. The motion to substitute H. R. Landon, present District Director of Immigration and Naturalization, as the party respondent in the place and stead of Henry Nicolls is granted.

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No. 522. National Labor Relations Board, petitioner, *v.* The Warren Company, Incorporated. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted and the case transferred to the summary calendar.

No. 555. Dantan George Rea, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit granted.

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No. 432. Local 63, Textile Workers Union of America, C. I. O., petitioner, *v.* Cheney Brothers; and

No. 570. Local 63, Textile Workers Union of America, C. I. O., petitioner, *v.* Cheney Brothers. Petitions for writs of certiorari to the Supreme Court of Errors of Connecticut denied.

No. 554. James Sheldon Walker, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 571. Mollie Sawyer, petitioner, *v.* Robert T. Stevens, Secretary of the Army, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

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No. 353. Cowles Publishing Company, petitioner, *v.* National Labor Relations Board. Motion for leave to file petition for rehearing denied. Mr. Justice Douglas took no part in the consideration or decision of this motion.

No. 539. J. Rupert Mason, petitioner, *v.* Summer Lake Irrigation District and Pueblo Trading Co. Petition for rehearing denied.

No. 257, October Term, 1953. Henry J. Jones, petitioner, *v.* Lykes Brothers Steamship Company, Inc. Motion for leave to file second petition for rehearing denied.

No. 319, Misc. Etley Billeaudeau, Gilbert LeBleu, et al., petitioners, *v.* Temple Associates, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 403, Misc. Barbara Graham, John A. Santo, and Emmett R. Perkins, petitioners, *v.* People of the State of California. Petition for writ of certiorari to the Supreme Court of California denied. Mr. Justice Douglas is of the opinion the petition should be granted.

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The Court will take a recess from today until Monday, March 14, next.

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No. 173. Amalgamated Clothing Workers of America et al., petitioners, *v.* The Richman Brothers Company. Argument continued by Mr. Luther Day for the respondent, by Mr. William J. Isaacson for the petitioners, and concluded by Mr. Philip Elman for the National Labor Relations Board as *amicus curiae*, by special leave of Court.

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Adjourned until Monday, March 14, next, at 12 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

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John T. Silveus, of Waynesburg, Pa., John I. Appell, of Boston, Mass., and Frank J. Muscarella, Jr., of Clearwater, Fla., on motion of Mr. Solicitor General Simon E. Sobeloff; Mark E. Woolsey, of Ozark, Ark., on motion of Mr. James William Trimble; John V. Lindsay, of New York, N. Y., on motion of Mr. Warren E. Burger; Alfred S. Pellard, of New York, N. Y., on motion of Mr. Leonard Raum; James C. Burnette, of Hindman, Ky., on motion of Mr. George S. Prugh; William L. Jacobs, of Parkersburg, W. Va., on motion of Mr. Gerard Van Arkel; William J. Quinn, of Schenectady, N. Y., Abraham B. Dorsman, Jr., of Albany, N. Y., Nicholas D. Morsillo, of Schenectady, N. Y., Harold W. Rosentrauch, of Albany, N. Y., and Charles A. Petluck, of Tuckahoe, N. Y., on motion of Mr. Perry H. Burnham; Reuben Goodman, of Cambridge, Mass., on motion of Mr. Robert W. Ginnane; Earl J. Lombard, of Washington, D. C., on motion of Mr. Nathaniel J. Ely; Howard M. Redlich, of Beverly Hills, Calif., on motion of Mr. Kenneth Dobson Miller; Alfred F. Goshorn, of Washington, D. C., on motion of Mr. Joseph Aloysius McMenamin; Philip A. Ray, of San Francisco, Calif., on motion of Mr. William W. Ray; Robert Taylor Cochran, of Nashville, Tenn., on motion of Mr. Jack W. Bain; Roy C. Tucker, Jr., of Atlanta, Ga., on motion of Mr. Raymond Francis Newkirk; Edward J. Lynch, of Washington, D. C., and Harry J. Maginnis, of Washington, D. C., on motion of Mr. Nathan M. Brown; and James B. Christie, of Pasadena, Calif., on motion of Mr. Emory L. Groff, were admitted to practice.

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**No. 203.** Frank Lewis, petitioner, *v.* United States of America. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment of Court of Appeals affirmed and case remanded to that Court. Opinion by Mr. Justice Minton. Dissenting opinion by Mr. Justice Black in which Mr. Justice Douglas joins. Dissenting opinion by Mr. Justice Frankfurter.

**No. 164.** Philip Andrew Witmer, petitioner, *v.* United States of America. On writ of certiorari to the United States Court of Appeals

for the Third Circuit. Judgment affirmed and case remanded to the United States District Court for the Middle District of Pennsylvania. Opinion by Mr. Justice Clark. Concurring opinion by Mr. Justice Minton. Mr. Justice Black and Mr. Justice Douglas dissent.

No. 250. Anthony Tony Sicurella, petitioner, *v.* United States of America. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Judgment of Court of Appeals reversed and case remanded to the United States District Court for the Northern District of Illinois for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Clark. Dissenting opinion by Mr. Justice Reed. Dissenting opinion by Mr. Justice Minton.

No. 251. Robert Simmons, petitioner, *v.* United States of America. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Judgment of Court of Appeals reversed and case remanded to the United States District Court for the Northern District of Illinois for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Clark. Mr. Justice Black and Mr. Justice Douglas, adhering to their dissent in *Nugent v. United States*, 346 U. S. 1, 13, join in the opinion and judgment of the Court. Dissenting opinion by Mr. Justice Reed. Dissenting opinion by Mr. Justice Minton.

No. 69. Joe Valdez Gonzales, petitioner, *v.* United States of America. On writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Judgment of Court of Appeals reversed and case remanded to the United States District Court for the Eastern District of Michigan for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Clark. Dissenting opinion by Mr. Justice Reed in which Mr. Justice Burton joins. Dissenting opinion by Mr. Justice Minton.

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The Chief Justice announced the following order of the Court:

No. 246. Paul W. Diehl, Jr., petitioner, *v.* Lehigh Valley Railroad Co. et al. On writ of certiorari to the United States Court of Appeals for the Third Circuit. *Per Curiam*: Upon the facts disclosed in the opinion of the Court of Appeals for the Third Circuit, 211 F. 2d 95, the applicable Acts of Congress, and the opinion of this Court in *Oakley v. Louisville & Nashville R. Co.*, 338 U. S. 278, the judgment of the Court of Appeals is reversed. Mr. Justice Reed dissents for the reasons given in the opinion of the Court of Appeals for the Third Circuit.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

No. 538. William Calvaresi and Jerry Benallo, Jr., petitioners, *v.* United States of America; and

No. 548. Eugene Smaldone and Clyde Smaldone, petitioners, *v.* United States of America. On petitions for writs of certiorari to the United States Court of Appeals for the Tenth Circuit. *Per Curiam*: In the interests of justice and in the exercise of the supervisory powers of this Court, certiorari is granted and the cases are severally reversed and remanded to the District Court for retrial before a different judge.

No. 567. State of Montana, *ex rel.* Ford Johnson, petitioner, *v.* The State Board of Land Commissioners of the State of Montana, etc., et al. On petition for writ of certiorari to the Supreme Court of Montana. *Per Curiam*: Certiorari is granted. The decision below is reversed insofar as it holds that the 1953 Montana Statute, Montana Rev. Codes, 1947 (Cum. Supp. 1953) § 81-1702 (2), is inconsistent with federal law. The case is accordingly remanded to the Montana Supreme Court for proceedings not inconsistent with this order.

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No. 11, Original. The State of Mississippi, plaintiff, *v.* The State of Louisiana. The report of the Special Master is received and ordered filed. Exceptions, if any, to the report of the Special Master may be filed by the parties within 60 days.

No. 186. General Drivers, Warehousemen and Helpers, Local Union No. 89, et al., petitioners, *v.* The American Tobacco Company, Inc. The motion of the Government for leave to appear and present oral argument, as *amicus curiae*, is granted and one-half hour is allowed for that purpose.

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No. 616. Edward J. Shaughnessy, District Director of the Immigration and Naturalization Service, etc., petitioner, *v.* United States, *ex rel.* Joseph Accardi. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted and case transferred to the summary calendar and assigned for argument immediately following No. 145.

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No. 536. St. Joe Paper Company, Jessie Ball duPont, et al., petitioners, *v.* Atlantic Coast Line Railroad Company;

No. 544. F. K. Conn, Edith F. Conn, and Sherman S. Forbes, et al., petitioners, *v.* Atlantic Coast Line Railroad Company;

No. 552. S. A. Lynch, S. A. Lynch Corporation, et al., petitioners, *v.* Atlantic Coast Line Railroad Company; and

No. 573. Atlantic Coast Line Railroad Company, petitioner, *v.* St. Joe Paper Company, the Testamentary Trustees of the Trust Estate Created by the Last Will and Testament of Alfred I. duPont, et al. Petitions for writs of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Black and Mr. Justice Clark took no part in the consideration or decision of these applications.

No. 558. John Hancock Mutual Life Insurance Company, petitioner, *v.* Virginia Beardslee. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 562. Stow Manufacturing Company, petitioner, *v.* National Labor Relations Board, Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 563. Edward S. Wagner Co., Inc., petitioner, *v.* James P. Mitchell, Secretary of Labor. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 569. United States of America, ex rel. Nickolas Diani Circella, petitioner, *v.* Walter A. Sahli, Director of Immigration and Naturalization Service, U. S. Department of Justice, Chicago. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 574. Roscoe Bifocal Co., Inc., petitioner, *v.* Ray Simon, Individually and as General Partner of Ray Simon Optical Co. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 578. Guy A. Thompson, Trustee, Missouri Pacific Railroad Company, Debtor, and Missouri-Illinois Railroad Company, petitioners, *v.* St. Louis-San Francisco Railway Company. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

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No. 41. Premier Oil Refining Company of Texas, petitioner, *v.* United States of America;

No. 43. The Tee-Hit-Ton Indians, an Identifiable Group of Alaska Indians, petitioner, *v.* The United States; and

No. 475. R. W. Ford, D. B. Cole, and B. F. Conaghan, petitioners, *v.* Hughes Tool Company. Petitions for rehearing denied.

No. 520. Ring Lardner, petitioner, *v.* Twentieth Century-Fox Film Corporation. Petition for rehearing denied. Mr. Justice Clark took no part in the consideration or decision of this application.

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No. 132, Misc. Herman Faubert, petitioner, *v.* State of Michigan et al. Petition for writ of certiorari to the United States Court of

Appeals for the Sixth Circuit denied. Motion for leave to file petition for writ of habeas corpus also denied.

No. 245, Misc. Clifton Bennett, petitioner, *v.* Ralph N. Eidson, Warden. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 366, Misc. Clarence A. Holliday, petitioner, *v.* Morris Abram, Warden, New Mexico Penitentiary. Petition for writ of certiorari to the Supreme Court of New Mexico denied.

No. 469, Misc. Samuel L. Voss, petitioner, *v.* State of Tennessee. Petition for writ of certiorari to the Supreme Court of Tennessee, Middle District, denied.

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No. 221, Misc. *Ex parte* Rozzie Lee Washington, petitioner. Motion for leave to file petition for writ of habeas corpus denied.

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The Court will take a recess from today until Monday, March 28, next.

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Adjourned until Monday, March 28, next, at 12 o'clock.

The day call for Monday, March 28, will be as follows: Nos. 186, 191, and 321.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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The Chief Justice said:

"The President, with the advice and consent of the Senate, has appointed the Honorable John Marshall Harlan, Circuit Judge from New York, an Associate Justice of this Court to succeed Justice Jackson. Justice Harlan has taken the Constitutional Oath administered by the Chief Justice. He is now present in Court. The Clerk will read his commission. He will then take the Judicial Oath, to be administered by the Clerk, after which the Marshal will escort him to his seat on the bench."

The Clerk then read the commission as follows:

"DWIGHT D. EISENHOWER  
"PRESIDENT OF THE UNITED STATES OF AMERICA

*"To All Who Shall See These Presents, Greeting:*

"Know Ye; That reposing special trust and confidence in the Wisdom, Uprightness, and Learning of John Marshall Harlan of New York I have nominated, and, by and with the advice and consent of the Senate, do appoint him Associate Justice of the Supreme Court of the United States and do authorize and empower him to execute and fulfil the duties of that Office according to the Constitution and Laws of the said United States, and to Have and Hold the said Office, with all the powers, privileges, and emoluments to the same of right appertaining, unto Him, the said John Marshall Harlan, during his good behavior.

"In testimony whereof, I have caused these Letters to be made patent and the seal of the Department of Justice to be hereunto affixed.

"Done at the City of Washington this seventeenth day of March, in the year of our Lord one thousand nine hundred and fifty-five, and of the Independence of the United States of America the one hundred and seventy-ninth.

[SEAL]

"DWIGHT D. EISENHOWER.

"By the President:

"HERBERT BROWNELL, Jr.,  
"Attorney General."

The oath of office was then administered by the Clerk, and Mr. Justice Harlan was escorted by the Marshal to his seat on the bench.

The oaths taken by Mr. Justice Harlan are in the following words, viz:

"I, John Marshall Harlan, do solemnly swear that I will support and defend the Constitution of the United States against all enemies, foreign and domestic, that I will bear true faith and allegiance to the same, that I take this obligation freely, without any mental reservation or purpose of evasion, and that I will well and faithfully discharge the duties of the office on which I am about to enter.

"So help me God.

"JOHN M. HARLAN.

"Subscribed and sworn to before me this 28th day of March A. D. 1955.

"EARL WARREN,  
"Chief Justice."

"I, John Marshall Harlan, do solemnly swear that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent on me as Associate Justice of the Supreme Court of the United States according to the best of my abilities and understanding, agreeably to the Constitution and laws of the United States.

"So help me God.

"JOHN M. HARLAN.

"Subscribed and sworn to before me this 28th day of March A. D. 1955.

"HAROLD B. WILLEY,  
"Clerk of the Supreme Court of the United States."

Harold R. Gordon, of Chicago, Ill., Bernard Lefkowitz, of New York, N. Y., Thomas Warner Smith, of Washington, D. C., Llewellyn Russell Wharry, of Washington, D. C., Jefferson Wortham Clark, of De Land, Fla., Miller Bowen, of Mount Savage, Md., Robert E. Hecht, of Chicago, Ill., and Wallace Alexander Hawkins, of Knoxville, Tenn., on motion of Mr. Solicitor General Simon E. Sobeloff; Thomas W. Lane, of Columbus, Ohio, on motion of Mr. John M. Vorys; Jacob Kenneth Rader, of Goochland, Va., on motion of Mr. J. Vaughn Gary; Russell Fred Lee, of Atlanta, Ga., on motion of Mr. James C. Davis; John W. Howard, of Arcadia, Calif., on motion of Mr. Patrick J. Hillings; Donald J. Kropp, of San Francisco, Calif., Thomas Martin O'Connor, of San Francisco, Calif., Frank J. Needles, of San

Francisco, Calif., and Frank A. Piazza, of Brooklyn, N. Y., on motion of Mr. Charles Sylvanus Rhyne; Durham E. Allen, of New York, N. Y., S. Noel Melvin, of Cincinnati, Ohio, Wm. B. Davis, of Wyoming, Ohio, George Francis Patterson, Jr., of Cincinnati, Ohio, James L. Lucas, of Columbus, Ohio, Theodore T. Twynham, of Columbus, Ohio, James N. Gabriel, of Cambridge, Mass., Francis R. Dobrowski, of Boston, Mass., Lewis Edgar Basom, of Columbus, Ohio, Malcolm Miller Prine, of Columbus, Ohio, Eugene Francis Murphy, of Boston, Mass., John J. Campbell, of Cambridge, Mass., Donald R. Simpson, of Marblehead, Mass., Alexander J. Gillis, of Boston, Mass., Albert H. Gold, of Philadelphia, Pa., Isadore I. Azimow, of Philadelphia, Pa., Albert Auburn, of Wellesley, Mass., Emanuel F. Schifano, of Pittsburgh, Pa., and Robert F. Burkardt, of Pittsburgh, Pa., on motion of Mr. Reginald Carl Harmon; J. Howard Payne, Jr., of New York, N. Y., Robert Joseph Delaney, of Garden City, N. Y., Anthony J. Meli, of Seaford, N. Y., Joseph C. Anderson, of New York, N. Y., Thomas E. Tisza, of New York, N. Y., William Augustin Tracy, of Salem, Mass., Martin Harris, of New York, N. Y., Joseph Patrick Martin of New York, N. Y., John J. Seffern, of New York, N. Y., William McCarroll Mark, of Garden City, N. Y., Max M. Schleider, of Bayside, N. Y., Frederick Wilson Read, Jr., of Port Washington, N. Y., Benjamin Hantman, of New York, N. Y., Charles H. Cosgrove, of West Newton, Mass., Edward A. Caredis, of Newton Center, Mass., Harold Unterberg, of New York, N. Y., Richard R. Caples, of Boston, Mass., Everett Augustus Grant, of Weston, Mass., Timothy H. Donohue, of Boston, Mass., Edward Francis Cooley, of Boston, Mass., Raphael Mur, of New York, N. Y., James W. Forsyth, of Staten Island, N. Y., William Edwards Murray, of New York, N. Y., Bernard Joseph Lally, of New York, N. Y., Anthony Kohout, Jr., of New York, N. Y., Abraham Jacob Asche, of New York, N. Y., Joseph B. Brady, of New York, N. Y., Henry M. Kidder, Jr., of Oyster Bay, N. Y., and John P. Swift, of Boston, Mass., on motion of Mr. Francis La Mar Forshee; Raymond E. Callegary, of Baltimore, Md., and Claude L. Callegary, of Baltimore, Md., on motion of Mr. Charles V. Koons; Maurice Denbo, of Burlington, N. J., on motion of Mr. Alexander Denbo; Charles Minor Gore, of Bristol, Tenn., on motion of Mr. Benito Gaguine; Harry G. Fletcher, Jr., of Staten Island, N. Y., on motion of Mr. Robert Granville Burke; Robert L. Meyer, of Los Angeles, Calif., on motion of Mr. Thomas G. Meeker; Robert J. Malang, of New York, N. Y., and Mario A. Procaccino, of New York, N. Y., on motion of Mr. Edward W. FitzGerald; Louis A. Breier, of New York, N. Y., on motion of Mr. Philip Paul Marenberg; Richard C. J. Kitto, of Pen Argyl, Pa., Robert Lee Rubendall, of Harrisburg, Pa., and J. Lawrence Davis, of Bangor, Pa., on motion of Mr. John H. Pursel; Paul T. Smith, of Boston, Mass., on motion

of Mr. Reuben Goodman; Sam S. Brozinsky, of New York, N. Y., Mandel Matthew Einhorn, of New York, N. Y., and Clarence Siegel, of New York, N. Y., on motion of Mr. Joseph Kottler; George T. Tarbutton, of Columbus, Ohio, on motion of Mr. Willard P. Owens; Robert L. Knecht, of Cincinnati, Ohio, on motion of Mr. Carl A. Julien; Charles S. Gaines, of Millburn, N. J., on motion of Mr. Milton V. Freeman; Leroy Robinson, of Charlotte, N. C., on motion of Mr. Charles Orlando Pratt; Leonard B. Netzorg, of Portland, Oreg., on motion of Mr. James Arthur Lanigan; Lyman Brewster, of Birney, Mont., on motion of Mr. Charles A. Horsky; and Cornelius J. McCool, of Washington, D. C., on motion of Mr. James M. McInerney, were admitted to practice.

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No. 45. Federal Power Commission, petitioner, *v.* Colorado Interstate Gas Company. On writ of certiorari to the United States Court of Appeals for the Tenth Circuit. Judgment of Court of Appeals reversed and case remanded to that Court for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Burton. Mr. Justice Harlan took no part in the consideration or decision of this case.

No. 184. Mac Q. Williamson, Attorney General of the State of Oklahoma, et al., appellants, *v.* Lee Optical of Oklahoma, Inc., et al.; and

No. 185. Lee Optical of Oklahoma, Inc., et al., appellants, *v.* Mac Q. Williamson, Attorney General of the State of Oklahoma. Appeals from the United States District Court for the Western District of Oklahoma. Judgment in No. 184 reversed with costs and case remanded to the District Court for proceedings in conformity with the opinion of this Court. Judgment in No. 185 affirmed. Opinion by Mr. Justice Douglas. Mr. Justice Harlan took no part in the consideration or decision of this case.

No. 51. Association of Westinghouse Salaried Employees, petitioner, *v.* Westinghouse Electric Corporation. On writ of certiorari to the United States Court of Appeals for the Third Circuit. Judgment of Court of Appeals affirmed and case remanded to the United States District Court for the Western District of Pennsylvania. Mr. Justice Frankfurter announced the judgment of the Court and an opinion in which Mr. Justice Burton and Mr. Justice Minton join. Concurring opinion by Mr. Chief Justice Warren in which Mr. Justice Clark joins. Concurring opinion by Mr. Justice Reed. Dissenting opinion by Mr. Justice Douglas in which Mr. Justice Black joins. Mr. Justice Harlan took no part in the consideration or decision of this case.

No. 97. Lloyd Weber, Russell Davis, Walter Patrick, et al., petitioners, *v.* Anheuser-Busch, Inc. On writ of certiorari to the Supreme Court of the State of Missouri. Judgment reversed with costs and case remanded to the Supreme Court of Missouri for proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Frankfurter. Mr. Justice Black concurs in the result. Mr. Justice Harlan took no part in the consideration or decision of this case.

No. 199. Commissioner of Internal Revenue, petitioner, *v.* Glenshaw Glass Company and William Goldman Theatres, Inc. On writ of certiorari to the United States Court of Appeals for the Third Circuit. Judgments reversed and case remanded to the Court of Appeals for proceedings in conformity with the opinion of this Court. Opinion by Mr. Chief Justice Warren. Mr. Justice Douglas dissents. Mr. Justice Harlan took no part in the consideration or decision of this case.

No. 114. General American Investors Company, Inc., petitioner, *v.* Commissioner of Internal Revenue. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment affirmed and case remanded to the Court of Appeals. Opinion by Mr. Chief Justice Warren. Mr. Justice Douglas concurs in the result. Mr. Justice Harlan took no part in the consideration or decision of this case.

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The Chief Justice said:

“The orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally.”

No. 450. Walker Dale Boston Bates, petitioner, *v.* United States of America. On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit. *Per Curiam*: The petition for certiorari is granted. Petitioner's claim to exemption as a conscientious objector has been denied by the National Appeal Board without his Selective Service file ever having been referred to the Department of Justice for inquiry, hearing, and recommendation. The procedure prescribed by § 6 (j) of the Universal Military Training and Service Act, 62 Stat. 612, as amended, 50 U. S. C. App. § 456 (j), has not been complied with, and the judgment of conviction is accordingly reversed.

No. 521. Perry Bowen Moore, petitioner, *v.* United States of America. On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit. *Per Curiam*: The petition for certiorari is granted. Petitioner and witnesses tendered by him declined, because of religious scruples against oath-taking, to use the word “solemnly” in affirming to tell the truth. The trial court refused to permit them to testify. There is no requirement that the word “sol-

emly" be used in the affirmation, and the judgment of conviction is therefore reversed and the case remanded for a new trial.

No. 526. Charles Simon, petitioner, *v.* United States of America. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. *Per Curiam*: The petition for writ of certiorari is granted and the judgment is reversed. *Simmons v. United States*, No. 251, October Term, 1954, decided March 14, 1955.

No. 565. Jack Warren Bradley, petitioner, *v.* United States of America. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. *Per Curiam*: The petition for writ of certiorari is granted and the judgment is reversed. *Gonzales v. United States*, No. 69, October Term, 1954, decided March 14, 1955.

No. 560. ABC Freight Forwarding Corporation, appellant, *v.* United States of America, Interstate Commerce Commission, et al. Appeal from the United States District Court for the Southern District of New York. *Per Curiam*: The motions to affirm are granted and the judgment is affirmed.

No. 564. Gretchen McRae, appellant, *v.* United States of America. Appeal from the United States District Court for the District of Colorado. *Per Curiam*: The motion to dispense with printing the statement as to jurisdiction is granted. The motion to dismiss is granted and the appeal is dismissed.

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No. 357. Ciraco Maneja, Antone Vierra, Tadao Watanabe, et al., petitioners, *v.* Waialua Agricultural Company, Limited; and

No. 358. Waialua Agricultural Company, Limited, petitioner, *v.* Ciraco Maneja et al. The motion for leave to file brief of American Farm Bureau Federation, as *amicus curiae*, is granted.

No. 394. In the Matter of Application of Ben G. Levy for Admission to Practice in United States District Court, Southern District of Texas, petitioner. The motion for leave to file brief of Houston Bar Association, as *amicus curiae*, is granted.

No. 417. Lewyt Corporation (now known as Lewyt Manufacturing Corporation), petitioner, *v.* Commissioner of Internal Revenue. The motion to remove this case from the summary calendar is granted.

No. 478. Obear-Nester Glass Company, petitioner, *v.* Commissioner of Internal Revenue. The motion for leave to file supplement to the petition for writ of certiorari is granted.

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No. 586. Local Union No. 25 of the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, et al.,

petitioners, *v.* The New York, New Haven and Hartford Railroad Company. The petition for writ of certiorari to the Superior Court of Massachusetts is granted limited to question 1 presented by the petition for the writ which reads as follows:

"1. Does the Labor Management Relations Act oust State courts of jurisdiction of a suit by a railroad to enjoin a union and union representatives from engaging in peaceably conducted strikes or attempts to induce such strikes by the employees of interstate motor carriers for the purpose of persuading such carriers to agree to restrict their use of interstate railroad transportation facilities and to give some portion of such interstate carriage work to their employees who are all represented by the union?"

The case is transferred to the summary calendar.

No. 617. Sears, Roebuck and Co., a New York Corporation, petitioner, *v.* Bruce A. Mackey, Individually, and Time Saver Tools, Inc., an Illinois Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted.

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No. 390. Clair Laverne White, petitioner, *v.* United States of America; and

No. 391. John Alan Tomlinson, petitioner, *v.* United States of America. Petitions for writs of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 447. United States of America, petitioner, *v.* Ernest F. Close. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied; and

No. 448. United States of America, petitioner, *v.* Jackie Lee Hinkle. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 501. Waterman Steamship Corporation, petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 502. Waterman Steamship Corporation, petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 513. Lykes Bros. Steamship Co., Inc., petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 543. G. E. Browning, petitioner, *v.* The State of Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 559. Rogers Ridgeway, petitioner, *v.* Georgia Ridgeway. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 572. Henry Grady Snead, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 576. Ronald M. Byrnes, petitioner, *v.* The Mutual Life Insurance Company of New York. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 580. Warner Brothers Pictures, Inc., and Alfred A. Knopf, Inc., petitioners, *v.* Columbia Broadcasting System, Inc., William Spier, The Wildroot Company, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 590. F. P. Newport Corporation, Ltd., petitioner, *v.* Paul W. Sampsell, Trustee in Bankruptcy of the Estate of F. P. Newport Corporation, Ltd., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 591. Fred Ihler and Anne Ihler, his wife, petitioners, *v.* Olga Rosen. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. 596. Charles L. Brown, Gwen G. Brown, Elva P. Bolds, et al., petitioners, *v.* S. E. Britton. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 597. William J. Cleary, petitioner, *v.* Chicago Title and Trust Company. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 606. Isadore Lenzner and Freda Lenzner, petitioners, *v.* City of Trenton. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 615. William Henning Rubin, Morton H. Bernstein, John E. Kelley, Sr., et al., petitioners, *v.* Chicago, South Shore & South Bend Railroad, Jay Samuel Hartt, President, et al., etc. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 634. The Aetna Casualty & Surety Company, petitioner, *v.* Ruby Mae Pitts. Petition for writ of certiorari to the United States of Appeals for the Second Circuit denied.

No. 635. *In re* Joseph Holmes, an Alleged Delinquent Minor, petitioner. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 599. John C. Shaffer, petitioner, *v.* Seas Shipping Company, Inc. Motion to proceed as a seaman and to dispense with printing

petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 592. Radio Corporation of America, petitioner, *v.* Hon Michael L. Igoe, United States District Judge for the Northern District of Illinois. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 478, Misc. Radio Corporation of America, petitioner, *v.* Hon. Michael L. Igoe, United States District Judge, etc., et al. Motion for leave to file petition for writ of mandamus or other appropriate relief denied.

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No. 125. Wayne Harsh, petitioner, *v.* Illinois Terminal Railroad Company;

No. 479. Bernard B. Kanischer, petitioner, *v.* Irwin Operating Co.;

No. 495. Central Mine Equipment Company, petitioner, *v.* The Bowdil Company;

No. 505. Arthur D. Bartron and Anna Katherine Bartron and Nicholas or Nick Ronca, petitioners, *v.* Delaware River Joint Toll Bridge Commission, etc.;

No. 508. Southern Bakers Association, Inc., and Atlanta Baking Company, Inc., appellants, *v.* United States of America and Interstate Commerce Commission; and

No. 317, Misc. Edward Brown, petitioner, *v.* Dr. Frederick S. Baldi, Superintendent of the Philadelphia County Prison, et al. Petitions for rehearing denied.

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No. 220, Misc. Frank Culver, petitioner, *v.* People of the State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 233, Misc. Robert S. Skladd, petitioner, *v.* William H. Bannan, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 340, Misc. E. Haydon Bozell, petitioner, *v.* Henry M. Lindsay et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 372, Misc. Robert Lee Barnett, Jr., by Next Friend Jessie J. Weatherford, petitioner, *v.* The City of Memphis et al. Petition for writ of certiorari to the Supreme Court of Tennessee denied.

No. 375, Misc. Roland Munroe, Jr., petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 376, Misc. Joseph Yankovich, petitioner, *v.* People of the State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 380, Misc. Dennis J. Pennenga, petitioner, *v.* People of the State of New York. Petition for writ of certiorari to the Suffolk County Court of New York, Suffolk County, denied.

No. 388, Misc. John W. Morton, petitioner, *v.* Ivan W. Steele, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 389, Misc. Henry Bean, petitioner, *v.* People of the State of New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Third Judicial Department, denied.

No. 405, Misc. Louis DiMaggio, petitioner, *v.* People of the State of New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, First Judicial Department, denied.

No. 406, Misc. Henry Bell, petitioner, *v.* Orel J. Skeen, Warden. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 411, Misc. Lester Arnold, petitioner, *v.* George A. Cummings, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 412, Misc. Benjamin Hudson, petitioner, *v.* Charles G. Day, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 413, Misc. John H. Lee, petitioner, *v.* William C. Kindelan, Warden. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 417, Misc. Francis J. Hilderbrand, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 423, Misc. Edward Daniels, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 425, Misc. Katherine O. Benjamin, and Carol Ann Benjamin, Infant, by her Next Friend, Katherine O. Benjamin, petitioners, *v.* John K. McIntosh. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 439, Misc. Michael Viti, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 441, Misc. Terry Lee Sims, petitioner, *v.* State of Iowa. Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. 443, Misc. Joseph E. Mullreed, petitioner, *v.* People of the State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 447, Misc. John H. Bremer, Jr., petitioner, *v.* C. H. Looney, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 449, Misc. Robert Salkeld, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Marion County, Illinois, denied.

No. 450, Misc. George Ford, petitioner, *v.* People of the State of New York. Petition for writ of certiorari to the County Court of Erie County, New York, denied.

No. 451, Misc. Shirley Collins, petitioner, *v.* William H. Bannan, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 454, Misc. Jose Lujan, petitioner, *v.* O. B. Ellis, General Manager of Texas Prison System. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 456, Misc. Edward H. Moody, Jr., petitioner, *v.* Allan L. Robbins, Warden. Petition for writ of certiorari to the Supreme Judicial Court of Maine denied.

No. 457, Misc. Jerry Jerome, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Court denied.

No. 461, Misc. T. H. Henson, petitioner, *v.* O. B. Ellis, General Manager, Texas Prison System, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 462, Misc. Albert Sorimpt, petitioner, *v.* Lawrence Delmore, Jr., Superintendent of the Washington State Penitentiary. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 465, Misc. J. D. Priegel, petitioner, *v.* Harley O. Teets, Warden, et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 466, Misc. Otis Spencer, petitioner, *v.* Dr. I. W. Steele, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 467, Misc. Charles Miller, petitioner, *v.* Harley O. Teets, Warden, et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 471, Misc. Walter Davis, petitioner, *v.* W. Frank Smyth, Jr., Superintendent of Virginia State Penitentiary. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 473, Misc. Ernest Cornes, petitioner, *v.* State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 475, Misc. William Pike, petitioner, *v.* William H. Bannan, Warden. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 476, Misc. Joseph Corbo, petitioner, *v.* People of the State of New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 477, Misc. Walter Phillips, petitioner, *v.* State of Indiana. Petition for writ of certiorari to the Circuit Court of St. Joseph County, Indiana, denied.

No. 452, Misc. William Francis Rupp, petitioner, *v.* Harley O. Teets, Warden. Petition for writ of certiorari to the Supreme Court of California denied. The Chief Justice took no part in the consideration or decision of this application.

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No. 377, Misc. In the Matter of Courtney P. Hunt, petitioner. Application for certificate of probable cause denied.

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No. 400, Misc. Sylvester Elliott, petitioner, *v.* Supreme Court of Michigan;

No. 415, Misc. Bert Crabtree, petitioner, *v.* United States of America; and

No. 453, Misc. Chester Banks, petitioner, *v.* Hon. William Denman, Chief Judge. Motions for leave to file petitions for writs of mandamus denied.

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No. 418, Misc. Samuel Foxall, petitioner, *v.* Joseph E. Ragen, Warden, et al.; and

No. 446, Misc. Henry James, petitioner, *v.* United States of America. Motions for leave to file petitions for writs of certiorari denied.

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No. 448, Misc. Jack Dampher, petitioner, *v.* People of the State of Illinois; and

No. 460, Misc. Henry Thomas Powers, petitioner, *v.* State of Texas et al. Motions for leave to file petitions for writs of habeas corpus denied.

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No. —. In the Matter of L. Barrett Jones;

No. —. In the Matter of George S. Hawke;

No. —. In the Matter of William B. Collins; and

No. —. In the Matter of J. B. Baltzegar. Rules are ordered to issue, returnable on Thursday, April 14, 1955, requiring L. Barrett Jones, of Jackson, Mississippi; George S. Hawke, of Cincinnati, Ohio; William B. Collins, of Westfield, N. J.; and J. B. Baltzegar, of Norway, S. C., to show cause why judgments for costs should not be entered against them.

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Mr. Justice Harlan took no part in the consideration or decision of the cases in which orders are this day announced.

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No. 204. Society for Savings in the City of Cleveland, appellant, *v.* Stanley J. Bowers, Tax Commissioner of Ohio. Argued by Mr. Robert F. Maskey for the appellant and by Mr. Joseph S. Gill for the appellee.

No. 220. First Federal Savings and Loan Association of Warren, appellant, *v.* Stanley J. Bowers (Successor to John W. Peck), Tax Commissioner of Ohio. Argued by Mr. Robert G. Day for the appellant and by Mr. Joseph S. Gill for the appellee.

No. 191. Natural Gas Pipeline Company of America, appellant, *v.* Panoma Corporation and the Corporation Commission of the State of Oklahoma. Argument commenced by Mr. Douglas F. Smith for the appellant and continued by Mr. Mac Q. Williamson and Mr. T. Murray Robinson for the appellees.

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, March 29, will be as follows: Nos. 191, 321, 302, and 333.

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SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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Paul A. Toussaint, of Berlin, N. H., and Alan J. Kraft, of New York, N. Y., on motion of Mr. Bernard S. Van Renselaer; Harry A. Smith, of Albany, N. Y., on motion of Mr. Charles P. Bauer; Aaron E. Harris, of Menlo Park, Calif., on motion of Mr. Joseph Millenson; Kenneth Heady, of Bartlesville, Okla., on motion of Mr. Rayburn L. Foster; Henry J. Zafian, of New York, N. Y., on motion of Mr. Charles H. Walker; George Edward Wise, of Long Beach, Calif., and James T. Lyon, of Washington, D. C., on motion of Mr. Claude W. Dudley; Milton M. Carrow, of New York, N. Y., on motion of Mr. Henry J. Fox; Livingston Jenks, of Honolulu, T. H., on motion of Mr. Milton Carl Denbo; John M. McElroy, of Columbus, Ohio, on motion of Mr. Charles A. Webb; Edward J. Kelly, of Des Moines, Iowa, on motion of Mr. George Cosson, Jr.; Francis X. Clair, of New York, N. Y., on motion of Mr. Francis C. Browne; and John Hugh Bauer, of Nashville, Tenn., on motion of Mr. Edgar R. Minnich, were admitted to practice.

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No. 191. Natural Gas Pipeline Company of America, appellant, *v.* Panama Corporation and the Corporation Commission of the State of Oklahoma. Argument continued by Mr. T. Murray Robinson for the appellees and concluded by Mr. Douglas F. Smith for the appellant.

No. 321. Natural Gas Pipeline Company of America, appellant, *v.* The Corporation Commission of the State of Oklahoma et al. Argument commenced by Mr. Clarence H. Ross for the appellant, continued by Mr. Hugh B. Cox for the appellees, and concluded by Mr. Douglas F. Smith for the appellant.

No. 302. Anthony J. Parissi, petitioner, *v.* Telechron, Inc., and General Electric Company. Argued by Mr. Harry A. Smith for the petitioner and by Mr. Charles H. Walker for the respondents.

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Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, March 30, will be as follows: Nos. 333, 357 (and 358), and 374.

## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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John M. Jex, of Salt Lake City, Utah, on motion of Mr. Arthur V. Watkins; Jack Aaron Skarbnik, of Newark, N. J., Ira Israel Waxman, of Newark, N. J., Philip Weinstein, of Newark, N. J., Herbert Kestner, of Newark, N. J., Salvatore J. Beninati, of Newark, N. J., John A. Marzulli, of Newark, N. J., Uldric L. Fiore, of Montclair, N. J., Benjamin Weiss, of Newark, N. J., Max Glassman, of Newark, N. J., Bertram S. Grand, of Livingston, N. J., and Frank A. La Morte, of Newark, N. J., on motion of Mr. Aristo Dallavalle; Samuel S. Cross, Jr., of New York, N. Y., on motion of Mr. John H. Pickering; Herbert Schachian, of New York, N. Y., on motion of Mr. Dean Hill Stanley; Charles E. Clapp II, of Providence, R. I., on motion of Mr. Joseph E. McAndrews; Thomas Roberts McMullen, of Chicago, Ill., on motion of Mr. Charles F. Barber; Charles Carroll Kieffer, of Washington, D. C., and Milton Josephson, of Bordentown, N. J., on motion of Mr. Ralph E. Becker; Harwood S. Nichols, Jr., of Buffalo, N. Y., on motion of Mr. Sherry Basil Myers; Leonard S. Sattler, of Arlington, Va., on motion of Mr. Ira M. Lowe; A. G. McClintock, of Cheyenne, Wyo., and Frank E. Hays, of Lander, Wyo., on motion of Mr. Joseph C. O'Mahoney; and Charles Dare Woodruff, of Los Angeles, Calif., on motion of Mr. William Simon, were admitted to practice.

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No. **333**. Anthony Pino, petitioner, *v.* H. R. Landon, District Director of Immigration and Naturalization. Argued by Mr. Reuben Goodman for the petitioner and by Mr. John F. Davis for the respondent.

No. **357**. Ciraco Maneja, Antone Vierra, Tadao Watanabe, et al., petitioners, *v.* Waialua Agricultural Company, Limited; and

No. **358**. Waialua Agricultural Company, Limited, petitioner, *v.* Ciraco Maneja et al. Argued by Mr. Richard Gladstein for Maneja

et al., by Miss Bessie Margolin for the Secretary of Labor, as *amicus curiae*, by invitation of the Court, and by Mr. Rufus G. Poole for the Waialua Agricultural Company, Limited.

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Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, March 31, will be as follows: Nos. **374**, **375**, **394**, and **186**.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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Charles D. Johnson, of Cleveland, Ohio, on motion of Mr. John H. Pickering; Angelo F. Addona, of Waterbury, Conn., on motion of Mr. William H. Timbers; Edward Sumner of Los Angeles, Calif., on motion of Mr. George Edward Wise; Rutherford Day, of Washington, D. C., on motion of Mr. John P. McClure; Leon G. Telsey, of New York, N. Y., on motion of Mr. Abraham M. Lowenthal; Jacques T. Schlenger, of Baltimore, Md., on motion of Mr. Emmet McNulty Ferguson; T. Kennedy Helm, Jr., of Louisville, Ky., on motion of Mr. Nelson Helm; and Kenton M. Prichard, of Houston, Tex., on motion of Mr. Reeve Lewis, were admitted to practice.

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No. 374. Edward J. Shaughnessy, as District Director of Immigration and Naturalization for the District of New York, petitioner, *v.* Mampril Sequeira Pedreiro. Argued by Mr. Oscar H. Davis for the petitioner and by Mr. Aaron L. Danzig for the respondent.

No. 375. Virgil G. Carroll, Harry B. Hogan, Doing Business as Harry B. Hogan Painting Company, et al., petitioners, *v.* M. Lanza, Doing Business as Lake Charles Electric Company. Argued by Mr. Shields M. Goodwin for the petitioners and by Mr. Alston Jennings for the respondent.

No. 394. In the Matter of Application of Ben G. Levy for Admission to Practice in United States District Court, Southern District of Texas. Argued by Mr. Bernard A. Golding for the petitioner.

No. 186. General Drivers, Warehousemen and Helpers, Local Union No. 89, et al., petitioners, *v.* The American Tobacco Company, Inc. Argument commenced by Mr. Herbert S. Thatcher for the petitioners.

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Adjourned until tomorrow at 12 o'clock.

The day call for Friday, April 1, will be as follows: No. 186.

SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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A. Luini del Russo, of Washington, D. C., on motion of Mr. Arthur J. Hilland, and John Wynne Ryan, of Port Chester, N. Y., on motion of Mr. William Leavenworth Colby, were admitted to practice.

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No. 186. General Drivers, Warehousemen, and Helpers, Local Union No. 89, et al., petitioners, *v.* The American Tobacco Company, Inc. Argument continued by Mr. Herbert A. Thatcher and Mr. William S. Tyson for the petitioners, by Mr. Dominick L. Manoli for the National Labor Relations Board, as *amicus curiae*, by special leave of Court, and concluded by Mr. Nelson Helm for the respondent.

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Adjourned until Monday, April 4, next, at 12 o'clock.

The day call for Monday, April 4, will be as follows: Nos. 8, 9, and 117.

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SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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Mr. Solicitor General Sobeloff addressed the Court as follows:

"May it please the Court: This morning, in the Conference Room, there was a meeting of the Bar of the Supreme Court in honor of the memory of Mr. Justice Jackson. The meeting was addressed by Mr. John Lord O'Brian, Mr. Gordon Dean, and Professor Paul Freund. Resolutions read by Mr. Sidney Alderman, Chairman of the Committee, were adopted. With your permission I will read the Resolutions.

## "RESOLUTIONS

"Associate Justice Robert Houghwout Jackson died suddenly of a heart attack on Saturday, October 9, 1954, at the age of sixty-two and at the height of his brilliant judicial career. On the convening of the Court on Monday, October 11, Chief Justice Warren made the following statement:

"One short week ago this Court convened for its 164th Term, its membership intact and cheerfully anticipating the work before us. Today the chair of our Brother Jackson is vacant, and we are sad indeed. He passed away last Saturday suddenly but by the Grace of God without suffering. For this we are all grateful, because he lived and died as was his great desire—active and useful to the end.

"Able lawyer, statesman and jurist, his passing leaves a great void in this Court. We shall miss greatly his wise counsel, his clarity of expression and his genial companionship.

"For 20 years, as General Counsel, as Solicitor General, as Attorney General of the United States, and as a member of this Court, he labored manfully with the complex and baffling problems of our time. His contributions were great. He has earned his rest.

"Funeral services will be held tomorrow afternoon at three o'clock at the Washington Cathedral, this city. His body will then be taken tenderly to Jamestown, New York, the little city of his youth, where, in pleasant and familiar surroundings, it will abide in peace among his earliest friends.

"In respect to his memory, this Court will now adjourn until Thursday, October 14, 1954, at twelve noon."

“The Chief Justice, all the Associate Justices, and the Clerk and the Marshal of the Court accompanied the remains, along with the family and the office staff of Mr. Justice Jackson, to Jamestown, New York, and the members of the Court acted as honorary pallbearers at the funeral services at Jamestown and at the interment at Frewsburg.

“Justice Jackson had suffered a previous attack in the spring of 1954 and had spent several weeks in a hospital in Washington and recuperating at his beautiful home, Hickory Hill, at McLean, Virginia. His doctors gave him the choice between years of comparative inactivity or a continuation of his normal activity at the risk of death at any time. With characteristic fortitude he chose the second alternative. He returned to his work on the Court, sat at the session of May 17, 1954, and joined in the unanimous opinion of that date in the school segregation cases. After a restful summer vacation at his home, at the Bohemian Grove in California and on a fishing trip in Canada, he returned for the present term of the Court and sat at its opening session on Monday, October 4.

“The members of the bar of the Supreme Court are met today to honor his memory and to record their estimate of the man, of the lawyer, of the judge, and of the statesman.

“He was a self-educated and self-made man in the Lincoln tradition and his life will ever be an inspiration to young men of our time who, all too often, tend to feel that ours may be no longer a land of opportunity.

“He was born at Spring Creek, Warren County, Pennsylvania, on February 13, 1892, the son of William Eldred and Angelina Houghwout Jackson. His father, a lumberman, farmer and stock breeder, was a stubborn Scotsman who wanted his son to be a doctor and refused to assist him in obtaining a legal education. He died when the son was a young man. His mother, a woman of strength and fortitude, with the best characteristics of her Dutch ancestry, had a profound influence on her son's life and character. She died shortly after he became Associate Justice. He was the only son and is survived by two devoted sisters, Mrs. Helen J. Adams and Mrs. Ella M. Springer, both of Frewsburg, New York.

“When Robert H. Jackson was five years old, the family moved across the state line to Frewsburg, Chautauqua County, New York, a small village some five miles south of Jamestown. There he attended grade and grammar school. In 1910 he graduated from Jamestown High School. He never attended college, but immediately entered the office of Frank H. Mott, an able young lawyer and like Jackson a Democrat, to study law. He attended Albany Law School for one year and then resumed his studies in Mr. Mott's law office. He passed the New York bar examinations and was admitted to practice on

November 24, 1913, at the age of twenty-one, when he would normally have been graduating from college. He always retained the view that the old system of studying in a law office provided one of the best schools for a legal education.

“Years later, in his thoughtful address on “Training the Trial Lawyer”<sup>1</sup> delivered at the dedication of The Stanford University School of Law, he made witty reference to his own law education, saying:

““Considerations of an autobiographical nature would make it immodest for me to suggest what a law school should teach and how best to teach it. I am a vestigial remnant of the system which permitted one to come to the bar by way of apprenticeship in a law office. Except for one term at law school, I availed myself of that method of preparation which already was causing uneasiness—to which feeling I must have added, for the system was almost immediately abolished. You may be comforted to realize that I am the last relic of that method likely to find a niche on the Supreme Court.”

“He was always an omnivorous reader. He devoured everything he could lay his hands on in history, biography, philosophy, the law and the classics of literature, so that he became an extraordinarily well-read man. He was a lifelong student of the Bible, an Episcopalian and a thirty-third degree Mason. He was a deeply religious man but was bound to no orthodoxy.

“His farm boyhood taught him the strength and solace that comes from nature and the out-of-doors life. He was an ardent horseman, fisherman, camper, hiker; best of all, he loved a morning canter or a summer camping trip with his daughter, Mary. In these recreations he found release from the turmoil and contentions of an active professional life, although it is said he sometimes argued his cases on horseback.

“Standing and reputation came to him rapidly in that greatest school for trial advocates, the general, country and small-town practice. He was early made corporation counsel of Jamestown. Like Lincoln he was a railroad trial lawyer and represented a typical clientele of corporations, large and small, and of individuals, rich and poor. He was vice president and general counsel of a short line railroad and of two traction companies and was director and general counsel of a local bank and of the local telephone company.

“He practiced alone until 1919, when he became junior member of the firm of Dean, Edson & Jackson. In 1923 he formed a partnership with Henry S. Manley and Gerald A. Herrick under the firm name of Jackson, Manley & Herrick. The firm became Jackson, Herrick, Durkin & Leet in 1927 and continued until 1933. It was

<sup>1</sup> 3 Stanford Law Review 48.

during this period that Robert Jackson developed a social philosophy emphasizing the rights of the individual, of the underprivileged, of small business, and opposing monopoly and oppression in all their forms.

“Talents such as he possessed made it inevitable that he should quickly achieve recognition beyond his local community and county. He was one of the leading spirits in the organization of the Federation of Bar Associations of Western New York and was its president from 1928 to 1930. In 1933 he was elected chairman of the National Conference of Bar Association Delegates, then a section of the American Bar Association. In that position he came into contact with lawyers from all over the nation and his national reputation began to grow.

“He never sought a career in public life, and, when such a career was pressed upon him, he entered upon it with great reluctance. He prided himself on being a countryman and a country lawyer. He wanted to accumulate a modest competency and to live the life of a country squire. He refused all offers to join Buffalo and New York law firms. But, as a Democrat of prominence, in a county in which Democrats were a distinct minority, he attracted the attention of Governor Franklin D. Roosevelt. In 1930, on the nomination of the President of the New York State Bar Association, he was appointed to serve on a special commission created by the legislature of New York to investigate the administration of justice in that State. Three years later Governor Herbert H. Lehman named him director of the New York Scrip Corporation, organized to handle negotiable scrip which the legislature had authorized State banks to issue as an emergency in the current financial stringency.

“When the Democrats took over the national administration under President Roosevelt, this up-state country lawyer and Democrat was promptly urged to come to Washington. His reluctance was overcome and early in 1934 he accepted appointment as general counsel of the Bureau of Internal Revenue, Treasury Department. While in that office he conducted important tax litigation with ability and was specially designated as counsel for the Securities and Exchange Commission in the litigation which tested and sustained the constitutionality of the Public Utility Holding Company Act of 1935. In 1936 he was appointed Assistant Attorney General in charge of the Tax Division, Department of Justice, and was later placed in charge of the Antitrust Division.

“As Assistant Attorney General he was one of President Franklin D. Roosevelt's ablest advocates in supporting the Bill to Reorganize the Judicial Branch of the Government, in 1937. His interesting book, *The Struggle for Judicial Supremacy*, shows that he was at-

tracted by the ultimate purposes of that plan rather than by the method proposed.

“On March 4, 1938, President Roosevelt made him Solicitor General of the United States, upon the appointment of Stanley F. Reed to the Supreme Court. As Solicitor General, his ability to understand and expound issues, no matter how ramified or complex, together with his surpassing skill in oral argument, won the admiration of the Court and of his brothers at the bar. It was a position which he enjoyed perhaps more than any other he ever held.

“On January 4, 1940, he was appointed by President Roosevelt as Attorney General, to succeed Frank Murphy, after the latter's appointment to the Court. His work in that office was concerned principally with questions arising out of World War II. President Roosevelt's executive agreement with Great Britain, exchanging fifty over-age destroyers for naval and air bases in the British possessions in the Western Hemisphere, was negotiated on his advice as Attorney General. The international law aspects of this transaction, as well as the legal basis for “Aid to Britain” and the rights of the United States as a nonbelligerent, were clearly and powerfully set forth in his address at the Havana meeting of the Inter-American Bar Association, in which he took the position for the United States that the war of aggression waged by Germany was in violation of American treaty rights and that the doctrines of international law did not oblige the United States to remain indifferently neutral but authorized aid to those resisting aggression.

“During all this time the future Justice had been completing his self-education, building himself upon himself, preparing for a greater career. His foundations were native ability, general reading, sound common sense, and long and successful experience as a trial and appellate court advocate.

“When on June 12, 1941, he was nominated Associate Justice by President Roosevelt, his nomination was promptly confirmed on July 7 by the Senate. Four days later he was commissioned and took the oath of office. He took his seat on the Court on October 6, 1941, filling the vacancy caused by the elevation of Associate Justice Harlan Fiske Stone to be Chief Justice of the United States. During the thirteen years of his judicial tenure he was absent from the Court for over a year and a half on the historic Nuremberg war crimes mission. Thus his active service on the Court comprised less than eleven and a half years, but in that period he made a contribution to our federal jurisprudence seldom excelled in the history of the Republic.

“He wrote a total of 318 opinions. Of these, 151 were opinions for the Court, 42 were concurring opinions, and 125 were dissents, although a few of his opinions which we have classified as for the

Court were concurred in by less than an actual majority but announced the judgment of the Court.

“With little formal education, he developed a literary style wholly different from the styles of Holmes, Cardozo, and other great stylists who have adorned the Court. He was as much given to aphorism as Holmes but was much less cryptic. One never had to labor over his pungent phrases to discover a hidden meaning. He would simply state, “Chaos serves no social end.”<sup>2</sup> Or, speaking of the Court, he would dryly remark, “We are not final because we are infallible, but we are infallible only because we are final.”<sup>3</sup> Or he would tersely state, “Environment illuminates the meaning of acts, as context does that of words.”<sup>4</sup>

“He wrote with a trenchant, concrete, Saxon style of great beauty and vigor, nurtured chiefly on the King James version of the Bible and on Shakespeare. He contributed to the literature of the Court elements of freshness, clarity, and originality that will never be forgotten.

“A slightly skeptical strain in his thinking, his devotion to freedom of the individual and particularly to freedom of thought and belief, and the charm of his style, are all well illustrated by the following from his separate dissent in *United States v. Ballard*:<sup>5</sup> “All schools of religious thought make enormous assumptions, generally on the basis of revelations authenticated by some sign or miracle. The appeal in such matters is to a very different plane of credulity than is invoked by representations of secular fact in commerce. Some who profess belief in the Bible read literally what others read as allegory or metaphor, as they read Aesop’s fables. Religious symbolism is even used by some with the same mental reservations one has in teaching of Santa Claus or Uncle Sam or Easter bunnies or dispassionate judges. \* \* \* I would dismiss the indictment and have done with this business of judicially examining other people’s faiths.”

“He had a faculty for stripping away nonessentials and laying bare the heart of a controversy. An effective advocate before he came to the bench, he became and remained a lawyer’s judge. He exposed fallacies in argument relentlessly but with unflinching courtesy and good humor. He admired and enjoyed good advocacy. His expressive face was quick to show appreciation of a professional job well done.

“He made many contributions to legal literature and to the work of bar associations. He wrote many important law review articles and all over the United States and in Canada, England, and France he delivered memorable addresses on legal subjects. In 1954 the New

<sup>2</sup> *State Tax Comm’n v. Aldrich*, 316 U. S. 174, 185, at 196.

<sup>3</sup> *Brown v. Allen*, 344 U. S. 443, 532, at 540.

<sup>4</sup> *Cramer v. United States*, 325 U. S. 1, 33.

<sup>5</sup> 322 U. S. 78, 92, at 94, 95.

York bar awarded him its gold medal for distinguished service to the law and to the legal profession. For a year and a half before his death he served diligently as chairman of the special committee set up by the American Bar Association to conduct a comprehensive study of criminal law and procedure in the United States. On November 2, 1953, he delivered an address at the laying of the cornerstone of the American Bar Center at Chicago, eloquently attesting his devotion to the law as a science and as a learned profession. In the title and in the text of that address he used an expression which has been carved over the portal of the Center, calling it "A Cathedral to testify to our faith in the rule of law."

"Friendliness was one of his outstanding characteristics. It is safe to say that no member of the Court in our history has had a wider circle of intimate and devoted friends among lawyers and jurists all over the world. He liked to be called "Bob" and usually signed his personal letters that way. Although he had great zest for his work as a member of the Court, he often chafed under the cloistered isolation of the judicial position and always loved to come into intimate and social contact with kindred spirits. His charm of personality, his engaging humor, his conversational and anecdotic gifts, and his frank and forthright manner of expression endeared him to all. But, deeper than all this, he had a faculty of inspiring loyalty in friends, in associates, and particularly in subordinates, that goes only with great personality.

"He was a prodigious and indefatigable worker. His opinion for the Court in *Morissette v. United States*<sup>6</sup> is a good example. Although the case dealt with a narrow and technical question as to when a claim of right constitutes a defense to a charge of criminal conversion of property, Justice Jackson wrote an opinion of twenty-nine pages, coming to grips with the entire vexing problem of the intent and culpability intrinsic to a charge of crime and bringing extraordinary research and erudition to the service of deep moral insight.

"He wrote the opinion for the Court in *Board of Education v. Barnette*,<sup>7</sup> overruling the contrary decision in *Minersville District v. Gobitis*<sup>8</sup> and holding that the action of a State making it compulsory for school children to salute the Flag and to take the oath of allegiance violates the First and Fourteenth Amendments. In that opinion he said:

" "The very purpose of a Bill of Rights was to withdraw certain subjects from the vicissitudes of political controversy, to place them beyond the reach of majorities and officials and to establish them as legal principles to be applied by the courts. One's right to life, liberty,

<sup>6</sup> 342 U. S. 246.

<sup>7</sup> 319 U. S. 624.

<sup>8</sup> 310 U. S. 586.

and property, to free speech, a free press, freedom of worship and assembly, and other fundamental rights may not be submitted to vote; they depend on the outcome of no elections."<sup>9</sup>

"And, after a close analysis of the reasoning in the *Gobitis* case, he said:

" "If there is any fixed star in our constitutional constellation, it is that no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion or force citizens to confess by word or act their faith therein."<sup>10</sup>

"His separate opinion, "concurring and dissenting, each in part," in *Communications Assn. v. Douds*,<sup>11</sup> gives perhaps the best summary of his attitude towards freedom of thought and speech. He said:

" "Progress generally begins in skepticism about accepted truths. Intellectual freedom means the right to reexamine much that has been long taken for granted. A free man must be a reasoning man, and he must dare to doubt what a legislative or electoral majority may most passionately assert. The danger that citizens will think wrongly is serious, but less dangerous than atrophy from not thinking at all. Our Constitution relies on our electorate's complete ideological freedom to nourish independent and responsible intelligence and preserve our democracy from that submissiveness, timidity and herd-mindedness of the masses which would foster a tyranny of mediocrity. The priceless heritage of our society is the unrestricted constitutional right of each member to think as he will. Thought control is a copyright of totalitarianism, and we have no claim to it. It is not the function of our Government to keep the citizen from falling into error; it is the function of the citizen to keep the Government from falling into error. We could justify any censorship only when the censors are better shielded against error than the censored."

"Justice Jackson had personal and professional courage of the highest degree. All knew exactly where he stood. On occasion he could confess his own previous error. In *McGrath v. Kristensen*,<sup>12</sup> he differed with his own opinion as Attorney General and refused to be bound by it. In his concurring opinion, among other illustrations of graceful and good-natured surrendering of former views to a better considered position, he invoked, as applicable to his situation, Mr. Justice Story's statement, "My own error, however, can furnish no ground for its being adopted by this Court \* \* \*" and Lord Westbury's statement, "I can only say that I am amazed that a man of my intelligence should have been guilty of giving such an opinion."

<sup>9</sup> 319 U. S. 624, 638.

<sup>10</sup> 319 U. S. 624, 642.

<sup>11</sup> 339 U. S. 382, 422, at 442-443.

<sup>12</sup> 340 U. S. 162, 176, at 178.

“He was one of the few Supreme Court Justices in our history to take leave of absence from his judicial position in order to perform for the United States an international mission. President Truman, on May 2, 1945, six days before Germany's surrender, appointed him by executive order, “as the Representative of the United States and as its Chief of Counsel in preparing and prosecuting charges of atrocities and war crimes against such of the leaders of the European Axis powers and their principal agents and accessories as the United States may agree with any of the United Nations to bring to trial before an international military tribunal.”

“This was a draft to service which Justice Jackson accepted as a patriotic duty. It was a tremendous organizational problem, an outstanding diplomatic responsibility, with the duty of preparing and prosecuting a criminal trial unprecedented in history. If ever a man literally gave his heart to the service of his country, Justice Jackson gave his in that mission.

“He conducted the four-power negotiations in London with Great Britain, the Provisional Government of France, and the Soviet Union, resulting in the Agreement and Charter of August 8, 1945, denouncing the plotting and waging of aggressive war as an international crime and setting up the International Military Tribunal. He directed for the United States the negotiations for the drafting of the indictment filed with the Tribunal. He largely directed the combing of the war-torn European Theater for the evidence and he took the leading part in the trial.

“This is neither the time nor the place to attempt a summary or evaluation of the Nuremberg trial or of its place in history. Suffice it here to say that it made Justice Robert H. Jackson a world figure. His opening statement and his final summation to the Tribunal will take high place in any history of forensic eloquence of the twentieth century. His handling of the difficult international negotiations was in the best tradition of American diplomacy.

“His introduction to a recent book on the Nuremberg trial,<sup>13</sup> just off the press a few weeks before he died, was one of his last published writings and contains his estimate of Nuremberg in retrospect. In it he gave his own answers to the criticisms which have been directed against that proceeding. He ended it with his personal, ultimate conclusion, “that the hard months at Nuremberg were well spent in the most important, enduring, and constructive work of my life.”

“Mr. Justice Jackson returned from Nuremberg covered with honors from European countries. He was the guest of the government

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<sup>13</sup> *Tyranny on Trial*, by Whitney R. Harris, Southern Methodist University Press, Dallas, 1954.

of Czechoslovakia in Prague, before the iron curtain closed around that brave little country. He was the guest of the Austrian government in Vienna. He was twice received for lengthy audiences by Pope Pius XII. In April 1946, he addressed the French magistrates and lawyers in Paris, on which occasion the Order of Advocates bestowed on him the medal which had been struck off in 1934 for the leader of the French bar, former President Raymond Poincaré, who had died before he could receive it. The magistrates of France also awarded him a special medal. He was installed as an Honorary Bencher of the Honourable Society of the Middle Temple of London. The Cour de Cassation of Belgium, in solemn session, gave him its second reception to an American citizen, the only other having been to Ambassador Brand Whitlock. The University of Brussels conferred on him the degree of Doctor of Laws, and the Prince Regent gave him a state luncheon honoring his contribution to international law. He was received and honored as guest of the governments of Norway, Denmark, and Sweden.

“In this country degrees were showered upon him by colleges and universities all over our land. President Truman awarded him the Medal for Merit. He received another degree of Doctor of Laws from the Ambassador of Poland, on behalf of the University of Warsaw. The country lawyer who had no college or law degree ended with perhaps as many honorary degrees as were ever received by any member of the Supreme Court.

“It should be recorded that when he assumed the judicial robe he ceased to be a partisan and a representative of a particular school of political philosophy. His devotion was to the law. He believed in the law and in that element of stability embodied in the doctrine of *stare decisis*. He was no hidebound follower of precedent and said in one opinion,<sup>14</sup> “Of course, it is embarrassing to confess a blunder; it may prove more embarrassing to adhere to it”—yet in another, concerned at the Court’s readiness to overturn its own precedents, he tartly remarked,<sup>15</sup> “But I know of no way that we can have equal justice under law except we have some law.”

“His opinions show a deep concern over the difficult problem of accommodating the sometimes conflicting purposes of maintaining freedom of the individual and, at the same time, a stable order of society under the reign of a rule of law. But he was generally on the side of full application of the Bill of Rights until he was convinced that the rule of law was seriously threatened.

“It is not easy to fit his thinking on the Constitution and the law into labeled categories. He had written the Godkin Lectures, which

<sup>14</sup> *United States v. Bryan*, 339 U. S. 323, 343, at 346.

<sup>15</sup> *Brown v. Allen*, 344 U. S. 443, 532, at 546.

he was to have delivered at Harvard University this year. They will soon be published and will set forth his principal views in his own language.

“His basic political philosophy was one of moderation in the conduct of public affairs. His standards of public service and his fundamental ideas on the Constitution and the law, formed in simpler times in the relative quiet of Jamestown, continued as guiding principles throughout his life.

“One of his finest public utterances, showing his great capacity to appreciate the high qualities of one representing a political philosophy different from his own, was his eloquent tribute, as Attorney General, to Mr. Justice Pierce Butler at the memorial services of the Court in the latter’s honor.<sup>16</sup>

“On April 24, 1916, in Albany, New York, he married Irene Alice Gerhardt, daughter of Henry Gerhardt, a builder, of Kingston, New York. Charming, cultured, gracious, devoted, she remained his companion, inspiration and comfort throughout his career. She survives him, as do their two children, William Eldred Jackson and Mary Jackson Craighill, and five grandchildren. The children and grandchildren were devoted to him and he to them. William Eldred Jackson, who was his father’s personal aide in London and in Nuremberg, and his son-in-law, G. Bowdoin Craighill, Jr., are both practicing lawyers.

“We of the bar of the Supreme Court join the members of the family in their grief and express to them our sympathy in their great loss.

“Resolved, that the foregoing Minute be adopted; that a copy of it be transmitted to the Attorney General of the United States for presentation to the Court; and that the Chairman be directed to forward copies of it to the widow and surviving members of the family of Mr. Justice Robert Houghwout Jackson’.”

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Mr. Attorney General Brownell addressed the Court as follows:

“As we assemble today to honor the memory of Justice Robert Houghwout Jackson, our sadness is lightened somewhat when we recall the warmth of his personality, the depth of his scholarship, and his great contributions to the science of the law and to the nation.

“Mere recital of the chronology of his life gives vivid color to the unfolding of three great careers: trial lawyer, government administrator, and Supreme Court Justice.

“Born on a farm at Spring Creek, Pennsylvania, on February 13, 1892, his family moved to Frewsburg and, later, Jamestown, New York, during his early years. His secondary education was completed in Jamestown and his formal legal education consisted of

one year of study at the Albany Law School. This abbreviated course of formal study often prompted Robert Jackson to make himself the butt of disparaging remarks about his untutored background. They served, however, quite unintentionally to sharpen the awareness of the audience or reader that here was a man in the tradition of Lincoln who made his way from self-education in the law to worldwide recognition as a brilliant scholar and jurist.

"In 1913, at the age of 21, Robert Jackson began the practice of law in Jamestown. The passing years brought him deserved recognition as an able advocate and sound counsellor. During these years, his searching, receptive mind began to respond to his thirst for understanding of the many subjects making up well-rounded scholarship. With his naturally keen mind, talent for expression, and abundant energy, Robert Jackson was well on the way to distinction of the highest order.

"His service for the State of New York in the early 1930's in the investigation of the administration of justice in that State and in directing the handling of the State's negotiable scrip program so commended him for attention that he was called to Washington in 1934 to serve as General Counsel of the Bureau of Internal Revenue, Treasury Department. He thus began a seven-year career in public administration. In retrospect, it is easy to understand why high achievement inevitably was to come. Strong, straight-forward, clear-thinking, well-informed, and loyal, his outstanding talents were successively pressed into the service of the nation through appointment as Solicitor General of the United States in 1938, and as Attorney General of the United States in 1940. As a well-seasoned trial lawyer, with experience and soundness of judgment, his service in those positions reflected great credit upon the offices and earned for him eminent standing at the bar.

"It is said that he perhaps enjoyed the challenge and advocate's duties as Solicitor General as much as any other he had ever undertaken. During that period he presented argument to this Court in a long series of cases which have left large and lasting imprint on the pages of legal history. Among the prominent cases of that period, which he argued with great skill, were those in which the Court upheld the validity of the Tobacco Inspection Act of 1935,<sup>1</sup> the Agricultural Adjustment Act of 1938,<sup>2</sup> federal control of milk marketing,<sup>3</sup> as well as others which marked the assumption of larger responsibilities by the federal government for the good of the nation.

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<sup>1</sup> *Currin v. Wallace*, 306 U. S. 1.

<sup>2</sup> *Mulford v. Smith*, 307 U. S. 38.

<sup>3</sup> *United States v. Rock Royal Co-op.*, 307 U. S. 533.

"In reference to this period of his life, Justice Jackson displayed his ready wit and appreciation of the art of oral argument when he remarked :

"I used to say that, as Solicitor General, I made three arguments of every case. First came the one that I planned—as I thought, logical, coherent, complete. Second was the one actually presented—interrupted, incoherent, disjointed, disappointing. The third was the utterly devastating argument that I thought of after going to bed that night.'

"On October 6, 1941, as the 87th appointee, Robert Jackson assumed his place on the Court as Associate Justice. Here, in the final years of his life, the abundant learning and maturity of experience brought lasting enrichment to the law.

"It is fitting that we of the profession so revered by Robert Jackson should recount with pride and pleasing recollection a few excerpts from his writings which reflect the force of his beliefs.

"Justice Jackson was a realist. To him, the law never rose above the dignity of man. This was well illustrated by his first concurring opinion, written less than two months after he took his seat on the Court.

"In the *Edwards* case,<sup>4</sup> the Court held invalid, as imposing an unconstitutional burden upon interstate commerce, a provision of California law which made it a crime to bring a nonresident indigent person into the State. Though agreeing with the result, Justice Jackson believed that the commerce clause had been invoked in a setting which called for a more spirited and earthy expression of the rights of man. He urged the Court to :

" '\* \* \* hold squarely that it is a privilege of citizenship of the United States, protected from state abridgment, to enter any state of the Union, either for temporary sojourn or for the establishment of permanent residence therein and for gaining resultant citizenship thereof. If national citizenship means less than this, it means nothing.'<sup>5</sup>

"Then, with characteristic clarity and vividness of expression, he said :

" 'Unless this Court is willing to say that citizenship of the United States means at least this much to the citizen, then our heritage of constitutional privileges and immunities is only a promise to the ear to be broken to the hope, a teasing illusion like a munificent bequest in a pauper's will.'<sup>6</sup>

"It is not the well-turned phrase, however, which earned for Justice Jackson high respect and affectionate regard.

<sup>4</sup> *Edwards v. California*, 314 U. S. 160 (decided November 24, 1941).

<sup>5</sup> At p. 183.

<sup>6</sup> At p. 186.

"His opinions are models of clarity. In the instance of each of these, there was never the slightest doubt as to where Justice Jackson stood and why. In agreement or in disagreement his position was abundantly clear. In economic regulations, civil liberties, taxation, commerce, and in the many and varied constitutional problems before the Court, Justice Jackson gave the same measure of directness and forceful expression.

"Easy to memory, for example, is his opinion for the court in the West Virginia compulsory flag salute case, *Board of Education v. Barnette*.<sup>7</sup> As he there said:

"If there is any fixed star in our constitutional constellation, it is that no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion or force citizens to confess by word or act their faith therein."

"In *Haupt v. United States*, Justice Jackson reflected his trial training in dissecting the defendant's objections to the interpretation reasonably to be given to factual events. Even in a charge of treason, Justice Jackson noted, for the majority, that "it is not required that testimony be so minute as to exclude every fantastic hypothesis that can be suggested."<sup>8</sup>

"And in his opinion, partly concurring and partly dissenting, in the *Doufs* case,<sup>9</sup> Justice Jackson laid bare the evil design and purposes of the Communist Party in such simple, but dramatic, terms that any schoolboy could quickly understand the basic character of the problem upon a quick reading.

"Action by the Government in proper areas of regulation, and through proper means, found Justice Jackson ready to strike down ill-founded attacks. But he was equally outspoken and determined when legally offensive methods were used in the administration of the law. Perhaps typical both of his directness and artistry in laying bare the heart of a matter, is his statement in the *Di Re*<sup>10</sup> opinion condemning an unlawful search and seizure:

"\* \* \* a search is not to be made legal by what it turns up. In law it is good or bad when it starts and does not change character from its success."

"In other public expressions we also see the many facets of his interests and personality. Justice Jackson's address at the American Bar Center cornerstone Ceremony on November 2, 1953, reflects his lifelong interest in the rules of law and the role of the lawyer and judge in their administration. On that occasion, in discussing the

<sup>7</sup> 319 U. S. 624, 642.

<sup>8</sup> 330 U. S. 631, 640.

<sup>9</sup> *Communications Assn. v. Doufs*, 339 U. S. 382.

<sup>10</sup> *United States v. Di Re*, 332 U. S. 581, 595.

responsibility of the bar in the administration of justice, he remarked: 'Cornerstones are commonplace unless they gain distinction from the vision and faith of those who lay them.' He then set forth a standard of moral accountability for the legal profession:

"Our profession is duty-bound to supply bold and imaginative leadership to bring and keep justice within the reach of persons in every condition of life, to devise processes better to secure men against false accusation and society against crime and violence, and to preserve not merely the forms of constitutional government but the spirit of liberty under law as embodied in our Constitution."

"One need look no further than Justice Jackson himself for an outstanding example of the force and quality of leadership in the bar to which he alluded. As one of the organizers of the Federation of Bar Associations of Western New York in the 1920's, he continued his strong interest in legal reforms and in maintaining the highest standards of ethics among lawyers until his death, when he was engaged in an intensive analysis and search for reforms in our criminal law and procedure.

"Even the briefest biographical reference of Robert Jackson must underscore the warmth of his personality. Friendship was natural to one of his capacity for understanding personal values and the large margin for human error. Justice Jackson was always within reach of people—the high and the small. He was not above the commonplace in life. Indeed, his entire philosophy was related to the simple, but inviolate rights of the little man. Here was dignity, but not coldness. Compassion without mawkish sentimentality. Scholarship, but not snobbery. Mention of the name of Robert Houghwout Jackson stimulates an immediate feeling of affectionate regard.

"A wonderful person—a great American—passed this way.

"May it please this Honorable Court: In the name of the lawyers of this nation, and particularly of the Bar of this Court, I respectfully request that the resolution presented to you in memory of the late Justice Robert H. Jackson be accepted by you, and that it, together with the chronicle of these proceedings, be ordered kept for all time in the records of this Court."

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The Chief Justice said:

"Mr. Attorney General:

"You have spoken of our Brother Jackson with great affection and understanding. That your eloquent words are to become a permanent record of his standing in his beloved profession and a lasting memorial to his memory make them of particular significance to the Court. We all share your sentiments. Tradition requires that I should respond to your gracious words rather than another of his associates who knew him personally and professionally much better than I, and who witnessed more closely the processes of his brilliant mind. This perhaps

is unfortunate, but by way of extenuation I say with all confidence that I can match the affection of my associates for our Brother if not their ability to record his many great qualities which could be fully known only to those who were favored by long and intimate collaboration with him. But all of us—even his successor who practiced at the same bar and who served on the Court of Appeals of his circuit—enjoyed that collaboration to a degree—some for many years, others for a few, I for only one Court term.

“The others knew every facet of his distinguished career, but even I had a unique, though transient, opportunity before coming to the Court to gain a lasting impression of his strong character, his deep convictions, and his understanding of people. For years, it was a midsummer custom with him, as it has been with me, to make a trek with congenial souls to a beautiful grove of giant Redwoods in my native state. Here, removed from the stresses of everyday life, there was opportunity for fellowship, reflection and an exchange of ideas that is rarely available to us in busy American life. In the presence of these giants of the forest with their heads above the clouds, standing serenely there since before the birth of Christ, man is equated to time, size, and importance in the scheme of things. In that majestic setting, through an occasional stroll on the mountainside or a swim in the beautiful winding river or sitting around an evening campfire, I first came to know the man we there affectionately called Bob Jackson. In this relationship I acquired some insight into his mind and character that might not even be revealed in his daily work or in his formal writings for the Court. It was a rewarding experience for me—one I shall not forget.

“It often happens that men best reveal their character at such times and also when writing informally of other people. A few days ago my Brother Frankfurter called to my attention a delightful article written by Justice Jackson more than a decade ago concerning what he termed ‘the disappearing country lawyer.’ If time permitted, I could with great profit to all of us read it from beginning to end because it is as character revealing as anything he has, to my knowledge, written. I must at least read two passages from it. In paying his respects to the country lawyer, which he always claimed to be, he wrote:

“That lawyer has been an American institution—about the same in South and North and East and West. Such a man understands the structure of society and how its groups interlock and interact, because he lives in a community so small that he can keep it all in view. Lawyers in large cities do not know their cities; they know their circles, and urban circles are apt to be made up of those with a kindred outlook on life; but the circle of the man from the small city or town is the whole community

and embraces persons of every outlook. He sees how this society lives and works under the law and adjusts its conflicts by its procedures. He knows how disordered and hopelessly unstable it would be without law. He knows that in this country the administration of justice is based on *law practice*. Paper "rights" are worth, when they are threatened, just what some lawyer makes them worth. Civil liberties are those which some lawyer, respected by his neighbors, will stand up to defend. Any legal doctrine which fails to enlist the support of well regarded lawyers will have no real sway in this country.'

"And then after reciting some of the human foibles of that species, he wrote in summation:

"'But he loved his profession, he had a real sense of dedication to the administration of justice, he held his head high as a lawyer, he rendered and exacted courtesy, honor, and straightforwardness at the Bar. He respected the judicial office deeply, demanded the highest standards of competence and disinterestedness and dignity, despised all political use of or trifling with judicial power, and had an affectionate regard for every man who filled his exacting prescription of the just judge. The law to him was like a religion, and its practice was more than a means of support; it was a mission. He was not always popular in his community, but he was respected. Unpopular minorities and individuals often found in him their only mediator and advocate. He was too independent to court the populace—he thought of himself as a leader and lawgiver, not as a mouthpiece. He "lived well, worked hard and died poor." Often his name was in a generation or two forgotten. It was from this brotherhood that America has drawn its statesmen and its judges. A free and self-governing Republic stands as a monument for the little known and unremembered as well as for the famous men of our profession.'

"This could well be a summation of the life of Justice Jackson, both in theory and in practice. There is, however, one exception. He is not destined to be among those of whom he wrote 'Often his name was in a generation or two forgotten.' So long as America maintains the fight for preservation of our constitutional freedoms, so long as free men anywhere believe that the experiences of the past can be helpful in solving the problems of their day, so long as the decisions of this Court are regarded as a bulwark of human liberty, just so long will the name of Robert H. Jackson be remembered for his high personal character, his dedication to American principles, and his devotion to duty. No finer remembrance than this could be left by any American.

“And as the years roll by, generations of the town of his youth will visit his resting place in the peaceful countryside near little Frewsburg, which he loved so well, and there gather inspiration and strength from his fine life and from the pride that he so often expressed of being—in their community—a ‘country lawyer.’ To this man—‘country lawyer,’ statesman, jurist, and friend—we humbly pay homage today.

“Let the Resolutions be spread upon the minutes of this Court.”

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Frank Myron Wright, Jr., of Chicago, Ill., David H. Harris, of Newark, N. J., Gordon B. Davidson, of Louisville, Ky., William Warfield Ross, of Washington, D. C., Samuel Abrams, of Boston, Mass., Ward Laurent Tilly, of New Iberia, La., Samuel W. Strauss, of Camden, N. J., and Marshall G. Kaplan, of Brooklyn, N. Y., on motion of Mr. Solicitor General Simon E. Sobeloff; Robert N. Simms, Jr., on motion of Mr. Samuel J. Ervin, Jr.; Ivan E. Barris, of Detroit, Mich., and Joseph W. Louisell, of Detroit, Mich., on motion of Mr. Thaddeus M. Machrowicz; Robert S. Burton, of Cleveland, Ohio, and William Smith Burton, of Cleveland, Ohio, on motion of Mr. Richard S. T. Marsh; Edward D. Crocker, of Cleveland, Ohio, on motion of Mr. William S. Cheatham; Samuel E. Beecher, Jr., of Terre Haute, Ind., and Frank Fisher, of Clinton, Ind., on motion of Mr. Will Shafroth; Gordon O. Berg, of Ekalaka, Mont., Bernard P. Traynor, of Austin, Tex., Peter Hill Beer, of New Orleans, La., Daniel O’Leary, of Olympia, Wash., Wallace W. Shropshire, Jr., of Austin, Tex., James N. Ware, of Austin, Tex., and Peter Paul Zaremba, of Austin, Tex., on motion of Mr. Albert M. Kuhfeld; Thomas W. Francis, of New York, N. Y., and Adam Yarmolinsky, of Falls Church, Va., on motion of Mr. Fowler Hamilton; John W. Herrick, of Fort Worth, Tex., and Robert L. Ivy, of Fort Worth, Tex., on motion of Mr. William Lawrence McGovern; Howard Pendleton Rives, Jr., of Clearwater, Fla., and Isaac Benjamin Krentzman, Jr., of Clearwater, Fla., on motion of Mr. John J. O’Keefe; Yale L. Apter, of Bloomfield, N. J., on motion of Mr. Charles W. Hagen; Charles Phineas Schwartz, Jr., of Chicago, Ill., on motion of Mr. Philip B. Perlman; Sidney Simandl, of Newark, N. J., Nathan A. Schanerman, of Newark, N. J., and Irving Silver, of Newark, N. J., on motion of Mr. Thomas B. Lawrence; John Sartoga, of Clifton, N. J., on motion of Mr. Joseph Rotwein; Charles E. Townsend, Jr., of San Francisco, Calif., on motion of Mr. J. Austin Stone; Joseph A. Kovarik, of Arlington, Va., on motion of Mr. Samuel Lebowitz; John E. Perkins, of Baton Rouge, La., on motion of Mr. George M. Johnson; Emile D. Neumann, of Philadelphia, Pa., on motion of Mr. Elgood Edward Stephens; Seymour John Ronald, of Miami, Fla., on motion of Mr. Robert Burett

Oliver, III; Irwin E. Kott, of Miami, Fla., on motion of Mr. Odell Kominers; Benjamin J. Schultz, of Chicago, Ill., on motion of Mr. Walter E. Gallagher; Frank L. Shigo, of Washington, D. C., on motion of Mr. Reid C. Tait; Eugene V. Clark, of Bennington, Vt., and Manfred W. Ehrich, Jr., of Bennington, Vt., on motion of Mr. Edward Randolph Walton, Jr.; Marshall Perlin, of New York, N. Y., on motion of Mr. Frank Donner; Arthur Morse, of Chicago, Ill., on motion of Mr. Morris Miller; George N. Hibben, of Chicago, Ill., on motion of Mr. Leo Rosetta; Edward L. Marcus, of New Haven, Conn., on motion of Mr. Jerome Harvey Simonds; Frederick S. Hill, of Washington, D. C., on motion of Mr. I. Martin Leavitt; John B. Wilson, of Pontiac, Mich., Farrell E. Roberts, of Pontiac, Mich., James Joseph McNamara, of Seattle, Wash., L. C. Burch, Jr., of Pontiac, Mich., Philip Frank Greco, of Detroit, Mich., Louis S. Bernadotte, of Detroit, Mich., Ralph E. Helper, of Detroit, Mich., Joseph A. Powers, of Detroit, Mich., Kleath A. Kembel, of Detroit, Mich., Paul H. Kesselring, of Detroit, Mich., Henry C. Hajek, of Seattle, Wash., Frank M. Wiseman, of Detroit, Mich., Dudley W. Apps, of Detroit, Mich., John A. Godfrey, of Seattle, Wash., John D. Blankinship, of Seattle, Wash., F. M. M. Hally, of Detroit, Mich., A. Albert Sugar, of Detroit, Mich., Ralph B. Taylor, of Detroit, Mich., Sidney L. Cohn, of Detroit, Mich., Malcolm S. McLeod, of Seattle, Wash., Kenneth John Olaf Selander, of Seattle, Wash., Raymond Royal, of Seattle, Wash., F. Clifton Lind, of Wyandotte, Mich., Donald Earl Adams, of Pontiac, Mich., and James Leo Hannam, of Portland, Oreg., on motion of Mr. Francis La Mar Forshee, were admitted to practice.

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**No. 104.** United States of America, petitioner, *v.* Richard Isaac Menasche. On writ of certiorari to the United States Court of Appeals for the First Circuit. Judgments of District Court and Court of Appeals affirmed and case remanded to the United States District Court for the District of Puerto Rico. Opinion by Mr. Justice Clark. Mr. Justice Harlan took no part in the consideration or decision of this case.

**No. 48.** Louis Shomberg, petitioner, *v.* United States of America. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment affirmed and case remanded to the United States District Court for the Southern District of New York. Opinion by Mr. Justice Clark. Mr. Justice Harlan took no part in the consideration or decision of this case.

**No. 173.** Amalgamated Clothing Workers of America et al., petitioners, *v.* The Richman Brothers Company. On writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Judgment of Court of Appeals affirmed and case remanded to the United

States District Court for the Northern District of Ohio. Opinion by Mr. Justice Frankfurter. Dissenting opinion by Mr. Chief Justice Warren in which Mr. Justice Black and Mr. Justice Douglas concur. Dissenting opinion by Mr. Justice Douglas in which the Chief Justice and Mr. Justice Black concur. Mr. Justice Harlan took no part in the consideration or decision of this case.

**No. 159.** United States of America, appellant, *v.* Ernest King Bramblett. Appeal from the United States District Court for the District of Columbia. Judgment reversed and case remanded to said District Court for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Reed. The Chief Justice, Mr. Justice Burton, and Mr. Justice Harlan took no part in the consideration or decision of this case.

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The Chief Justice announced the following orders of the Court:

**No. 186.** General Drivers, Warehousemen, and Helpers, Local Union No. 89, et al., petitioners, *v.* The American Tobacco Company, Inc. On writ of certiorari to the Court of Appeals of Kentucky. *Per Curiam*: The judgment is reversed. *Weber v. Anheuser-Busch, Inc.*, No. 97, October Term, 1954, decided March 28, 1955; *Bus Employees v. Wisconsin Board*, 340 U. S. 383.

**No. 394.** In the Matter of Application of Ben G. Levy for Admission to Practice in United States District Court, Southern District of Texas, petitioner. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. *Per Curiam*: The record in this case discloses no sufficient grounds for the failure and refusal of the District Court to grant petitioner's application for admission to the bar of that Court. The judgment of the Court of Appeals is accordingly reversed with direction to remand the cause to the District Court for appropriate action in accordance with this order.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

**No. 566.** Ward Transport, Inc., T. Clarence Bridge, and Harry W. Bridge, d/b/a Bridge Brothers, et al., appellants, *v.* United States of America, Interstate Commerce Commission, et al. Appeal from the United States District Court for the District of Colorado. *Per Curiam*: The motions to affirm are granted and the judgment is affirmed.

**No. 577.** Painters' District Council No. 22, Brotherhood of Painters, Decorators, and Paperhangers of America (A. F. L.), et al.,

appellants, *v.* James Austin et al. Appeal from the Supreme Court of Michigan. *Per Curiam*: The appeal is dismissed for want of jurisdiction. 28 U. S. C. § 1257(2). Treating the papers whereon the appeal was taken as a petition for writ of certiorari as required by 28 U. S. C. § 2103, certiorari is denied.

No. 581. Stanley G. Terry, appellant, *v.* City of Portland, Oregon, Dorothy McCullough Lee, Individually and as Mayor of the City of Portland, Oregon, et al. Appeal from the Supreme Court of Oregon. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. The motion of the appellees to adjudge as damages double costs is denied.

No. 594. American Civil Liberties Union and Charles Liebman, appellants, *v.* City of Chicago et al. Appeal from the Supreme Court of Illinois. *Per Curiam*: The appeal is dismissed for want of a final judgment. Mr. Justice Black, Mr. Justice Douglas, and Mr. Justice Harlan dissent.

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No. 337. Alexander Norwood, Joseph F. Tunstall, and John E. Smallwood, petitioners, *v.* Honorable William H. Kirkpatrick, etc. The motion for leave to file brief of Dining Car Employees Union, as *amicus curiae*, is denied. Mr. Justice Harlan took no part in the consideration or decision of this motion.

No. 357. Ciraco Maneja, Antone Vierra, Tatao Watanabe, et al., petitioners, *v.* Waialua Agricultural Company, Limited; and

No. 358. Waialua Agricultural Company, Limited, petitioner, *v.* Ciraco Maneja et al. The motion for leave to file supplemental brief on behalf of The Secretary of Labor, as *amicus curiae*, in response to brief filed by The American Farm Bureau Federation is granted.

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No. 561. District of Columbia, petitioner, *v.* Aileen B. Randle. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 582. W. M. Olliff, petitioner, *v.* The State of Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 583. Commonwealth of Pennsylvania, ex rel. Patricia Ann Kuntz, a Minor, petitioner, *v.* Robert J. Stackhouse and Irene Stackhouse, his wife. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 585. Dolcin Corporation et al., petitioners, *v.* Federal Trade Commission. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 598. Raymond Keith Skinner, petitioner, *v.* United States of America. Petitioner for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 603. Marion G. Denton and Valedia W. Denton, d/b/a Marden Manufacturing Company, petitioners, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 609. Henry S. Cato, petitioner, *v.* Cyrus E. Silling, Sr. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 612. Scottie Alton Alsup, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 613. Jack Kalpakoff, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 620. R. A. Rogers, also known as Roy A. Rogers, petitioner, *v.* Noel S. Alton. Petition for writ of certiorari to the District Court of Appeal of California, First Appellate District, denied.

No. 478. Obear-Nester Glass Company, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Harlan took no part in the consideration or decision of this application.

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No. 506. Thomas Alfred Tambllyn, petitioner, *v.* United States of America; and

No. 386, Misc. W. A. Marshall, petitioner, *v.* United States of America. Petitions for rehearing denied. Mr. Justice Harlan took no part in the consideration or decision of these applications.

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No. 97, Misc. Don Jesse Neal, petitioner, *v.* George Beckstead, Sheriff, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 270, Misc. Don Jesse Neal, petitioner, *v.* Marcell Graham, Warden of the Utah State Prison. Petition for writ of certiorari to the Supreme Court of Utah denied.

No. 419, Misc. Milne McBride, petitioner, *v.* H. O. Teets, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. 468, Misc. Roy C. Swails, petitioner, *v.* State of Louisiana. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 472, Misc. Angelo Michael Gennaitte, petitioner, *v.* Robert A. Heinze, Warden, et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 474, Misc. James Bolden, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 486, Misc. James Elbert Wilson, petitioner, *v.* State of Delaware. Petition for writ of certiorari to the Supreme Court of Delaware denied.

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No. 470, Misc. In the Matter of Joseph B. Judd, Jr., petitioner. Motion for leave to file petition for writ of certiorari denied.

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ORDER

It is ordered that the following allotment be made of the Chief Justice and Associate Justices of this Court among the circuits, pursuant to Title 28, United States Code, § 42, and that such allotment be entered of record, viz:

For the District of Columbia Circuit, Earl Warren, Chief Justice.

For the First Circuit, Felix Frankfurter, Associate Justice.

For the Second Circuit, John M. Harlan, Associate Justice.

For the Third Circuit, Harold H. Burton, Associate Justice.

For the Fourth Circuit, Earl Warren, Chief Justice.

For the Fifth Circuit, Hugo L. Black, Associate Justice.

For the Sixth Circuit, Stanley Reed, Associate Justice.

For the Seventh Circuit, Sherman Minton, Associate Justice.

For the Eighth Circuit, Tom C. Clark, Associate Justice.

For the Ninth Circuit, William O. Douglas, Associate Justice.

For the Tenth Circuit, Tom C. Clark, Associate Justice.

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The Court will take a recess from Tuesday, April 5th, until Monday, April 11th, next.

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No. 8. Thomas Quinn, petitioner, *v.* United States of America; and  
 No. 9. Julius Emspak, petitioner, *v.* United States of America.  
 Reargument in No. 9 and argument in No. 8 commenced by Mr. David Scribner and continued by Mr. Frank J. Donner for the petitioners and by Mr. Robert W. Ginnane for the respondent.

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Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, April 5, will be as follows: Nos. 8 (and 9) and 117.

SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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Seymour J. Rubin, of Chicago, Ill., on motion of Mr. Philip Elman; Morton Jay Marks, of Warren, R. I., on motion of Mr. Theodore Francis Green; Martin J. Ward, of Minneapolis, Minn., on motion of Mr. John J. Courtney; and Robert A. McDowell, of New York, N. Y., on motion of Mr. William H. Timbers, were admitted to practice.

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No. 8. Thomas Quinn, petitioner, *v.* United States of America; and No. 9. Julius Emspak, petitioner, *v.* United States of America. Reargument in No. 9 and argument in No. 8 concluded by Mr. Robert W. Ginnane for the respondent.

No. 117. Philip Bart, petitioner, *v.* United States of America. Argued by Mr. James T. Wright and Mr. A. L. Wirin for the petitioner and by Mr. Robert W. Ginnane for the respondent.

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Adjourned until Monday, April 11, next, at 12 o'clock.

The day call for Monday, April 11, will be as follows: Nos. 1, 5, 4, 2, and 3.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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Samuel Handloff, of Wilmington, Del., on motion of Mr. Joseph Donald Craven; Thomas Jefferson Tubb, of West Point, Miss., on motion of Mr. James Plemon Coleman; Edward F. Boardman, of Miami, Fla., on motion of Mr. Richard W. Ervin; Kenneth Cart-right Patty, of Richmond, Va., Clarence Flipppo Hicks, of Port Royal, Va., Francis C. Lee, of Richmond, Va., and Moses Harris Parker, of Richmond, Va., on motion of Mr. J. Lindsay Almond, Jr.; Billy E. Lee, of Houston, Tex., and Burnell Waldrep, of Clarksville, Tex., on motion of Mr. John Ben Shepperd; Louis L. Brown, of Fort Valley, Ga., on motion of Mr. Robert Wright Wesley; Billy Jones, of East St. Louis, Ill., on motion of Mr. Charles S. Scott; C. Ferdinand Sybert, of Elkridge, Md., on motion of Mr. Solicitor General Simon E. Sobeloff; Leonard Michaelson, of Washington, D. C., Karl W. Flocks, of Washington, D. C., and Elliott L. Biskind, of New York, N. Y., on motion of Mr. Alvin Browdy; Meredith Hugh Thompson, of Durham, N. C., on motion of Mr. Thurgood Marshall; Leon P. Harris, of Charlotte, N. C., on motion of Mr. Oliver W. Hill, Sr.; Robert Nicholas Hawes, of Washington, D. C., and Bernard Reiter, of Seattle, Wash., on motion of Mr. John A. Gosnell; Jay Byron Brown, of Shamrock, Tex., John Vencil Davies, of Yankton, S. Dak., Edward R. Dellinger, Jr., of Brentwood, Mo., Billy S. Holland, of Lexington, Va., Jesse Oliver Bryan IV, of Greenville, Ala., Gordon G. Oldham, Jr., of Leesburg, Fla., William Garner Beanland, of Oxford, Miss., Carroll William Kelley, of Lynn, Mass., Curtis Rich Boisfontaine, of New Orleans, La., and George Oren Hanford, of Washingtonville, N. Y., on motion of Mr. Reginald Carl Harmon; and William T. Coleman, Jr., of Philadelphia, Pa., on motion of Mr. Philip Elman, were admitted to practice.

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No. 337. Alexander Norwood, Joseph F. Tunstall, and John E. Smallwood, petitioners, *v.* Honorable William H. Kirkpatrick, etc. On writ of certiorari to the United States Court of Appeals for the Third Circuit. Judgments affirmed and case remanded to the Court of Appeals. Opinion by Mr. Justice Minton. Dissenting opinion by

Mr. Justice Clark in which the Chief Justice and Mr. Justice Douglas concur. Mr. Justice Harlan took no part in the consideration or decision of this case.

No. 261. Elizabeth R. Granville-Smith, petitioner, *v.* Edward Granville-Smith. On writ of certiorari to the United States Court of Appeals for the Third Circuit. Judgment affirmed and case remanded to the District Court of the Virgin Islands. Opinion by Mr. Justice Frankfurter. Dissenting opinion by Mr. Justice Clark in which Mr. Justice Black, and Mr. Justice Reed join. Mr. Justice Harlan took no part in the consideration or decision of this case.

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The Chief Justice announced the following orders of the Court:

No. 191. Natural Gas Pipeline Company of America, appellant, *v.* Panoma Corporation and the Corporation Commission of the State of Oklahoma; and

No. 321. Natural Gas Pipeline Company of America, appellant, *v.* The Corporation Commission of the State of Oklahoma et al. Appeals from the Supreme Court of Oklahoma. *Per Curiam:* In these cases Oklahoma has attempted to fix a minimum price to be paid for natural gas, after its production and gathering has ended, by a company which transports the gas for resale in interstate commerce. We held in *Phillips Petroleum Co. v. Wisconsin*, 347 U. S. 672, that such a sale and transportation cannot be regulated by a State but are subject to the exclusive regulation of the Federal Power Commission. The *Phillips* case, therefore, controls this one.

We disagree with the contention of the respondents that *Cities Service Gas Co. v. Peerless Oil and Gas Co.*, 340 U. S. 179, and *Phillips Petroleum Co. v. Oklahoma*, 340 U. S. 190, are applicable here. In those cases we were dealing with constitutional questions and not the construction of the Natural Gas Act. The latter question was specifically not passed upon in those cases. *Reversed.*

Mr. Justice Douglas, being of opinion that State regulation of price is permissible until the Federal price regulation permitted by *Phillips Petroleum Co. v. Wisconsin*, 347 U. S. 672, is imposed, dissents.

Mr. Justice Harlan took no part in the consideration or decision of these cases.

No. 302. Anthony J. Parissi, petitioner, *v.* Telechron, Inc., and General Electric Company. On writ of certiorari to the United States Court of Appeals for the Second Circuit. *Per Curiam:* The judgment is reversed. The petitioner's notice of appeal to the Court of Appeals from a judgment of the District Court for the Northern District of New York, together with his appeal bond, was received at the office of the Clerk of the District Court within 30 days prescribed by 28

U. S. C. § 2107 for filing a notice of appeal. In dispatching these papers the petitioner inadvertently failed to include the \$5 fee required by 28 U. S. C. § 1917 to be paid "upon the filing" of a notice of appeal. The Clerk notified the petitioner of his omission, and declined to "file" the notice of appeal until he received the \$5 fee three or four days later. By that time the 30-day period for appeal had expired. Upon petitioner's motion the District Court made a *nunc pro tunc* order according the notice of appeal a filing date as of the date it was originally received by the Clerk.

The Court of Appeals, without opinion, dismissed the appeal as untimely. We think that the Clerk's receipt of the notice of appeal within 30-day period satisfied the requirements of § 2107, and that untimely payment of the § 1917 fee did not vitiate the validity of petitioner's notice of appeal. Anything to the contrary in such cases as *Mondakota Gas Co. v. Montana-Dakota Utilities Co.*, 194 F. 2d 705 (C. A. 9th Cir. 1952), we disapprove. Our conclusion does not leave § 1917 without other sanctions.

No. 333. Anthony Pino, petitioner, *v.* H. R. Landon, District Director of Immigration and Naturalization Service. On writ of certiorari to the United States Court of Appeals for the First Circuit. *Per Curiam*: On the record here we are unable to say that the conviction has attained such finality as to support an order of deportation within the contemplation of § 241 of the Immigration and Nationality Act. The judgment is reversed.

No. 157. Ryan Stevedoring Co., Inc., petitioner, *v.* Pan-Atlantic Steamship Corporation. On writ of certiorari to the United States Court of Appeals for the Second Circuit; and

No. 213. Indian Towing Company, Inc., et al., petitioners, *v.* United States of America. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. *Per Curiam*: The judgments are affirmed by an equally divided Court. Mr. Justice Harlan took no part in the consideration or decision of these cases.

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The Chief Justice said :

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

No. 584. Seaboard Air Line Railroad Company, appellant, *v.* United States of America, Interstate Commerce Commission and Atlantic Coast Line Railroad Company. Appeal from the United States District Court for the Eastern District of Virginia. *Per Curiam*: The motions to affirm are granted and the judgment is affirmed.

No. 600. W. J. Dillner Transfer Company, appellant, *v.* Pennsylvania Public Utility Commission et al. Appeal from the Supreme Court of Pennsylvania, Western District; and

No. 601. W. J. Dillner Transfer Company, appellant, *v.* Pennsylvania Public Utility Commission et al. Appeal from the Supreme Court of Pennsylvania, Middle District. *Per Curiam*: The motions to dismiss are granted and the appeals are dismissed for want of a substantial Federal question.

No. 611. Jack Lazar, appellant, *v.* The State of Oklahoma. Appeal from the Criminal Court of Appeals of Oklahoma. *Per Curiam*: The appeal is dismissed for want of a substantial Federal question.

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No. 357. Ciraco Maneja, Antone Vierra, Tadao Watanabe, et al., petitioners, *v.* Waialua Agricultural Company, Limited; and

No. 358. Waialua Agricultural Company, Limited, petitioner, *v.* Ciraco Maneja et al. Motion of Waialua Agricultural Company for leave to file memorandum granted.

No. 376. John P. Peters, petitioner, *v.* Oveta Culp Hobby et al. Motion of the Congress of Industrial Organizations for leave to appear and present oral argument, as *amicus curiae*, denied.

No. —. In re Geo. Anastaplo. Motion for leave to file application for admission to the Bar of the United States Supreme Court denied.

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No. 625. United States of America, petitioner, *v.* Abraham Minker. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit granted and case transferred to the summary calendar.

No. 399, Misc. Commonwealth of Pennsylvania ex rel. Stephen J. Herman, petitioner, *v.* Dr. John W. Claudy, Warden. Motion for leave to proceed in *forma pauperis* granted. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, granted and case transferred to the appellate docket.

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No. 587. The G. & P. Amusement Company, petitioner, *v.* Regent Theater Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 602. Leslie H. Jamouneau, petitioner, *v.* Claire E. Harner, Essex County Rent Control Board, et al. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 607. Harlan Grimes, petitioner, *v.* Edwin T. Maynard et al. Petition for writ of certiorari to the Court of Civil Appeals of Texas, Tenth Supreme Judicial District, denied.

No. 610. Stockton Harbor Industrial Company, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 618. W. F. Edwards and L. C. Edwards, Jr., petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 619. Chicago, Rock Island and Pacific Railroad Company, petitioner, *v.* Aubrey H. Wright. Petitioner for writ of certiorari to the Supreme Court of Oklahoma denied.

No. 621. George R. Davis, petitioner, *v.* The People of the State of California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 622. Alpha Silk Company, Bear Brand Hosiery Company, Cohn-Hall-Marx Company, et al., petitioners, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 631. Consolidated Freightways, Inc., petitioner, *v.* United Truck Lines, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 641. Whitin Machine Works, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 669. George C. Finn and Charles C. Finn, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 608. State of Oklahoma, on the Relation of Gertrude Grimes, et al., petitioner, *v.* The Board of Education of the City of Oklahoma City of the State of Oklahoma, et al. Petition for writ of certiorari to the Supreme Court of Oklahoma and for other relief denied.

No. 627. Shanks Village Residents Association, Inc., et al., petitioners, *v.* Albert M. Cole, Individually and as Administrator of the Housing and Home Finance Agency. Motion to dispense with printing petition granted. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 630. Bard-Parker Company, Inc., petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Harlan took no part in the consideration or decision of this application.

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No. 7. Wilburn Boat Company et al., petitioners, *v.* Fireman's Fund Insurance Company;

No. 518. Aircooled Motors, Inc., appellant, *v.* Arthur F. Williams; No. 530. LeRoy Smalls, Charles Bright, and Eva G. Mitchel, Administratrix of the Estate of Benjamin Mitchel, Deceased, petitioners *v.* Atlantic Coast Line Railroad Company;

No. 532. In re George Anastaplo, appellant;

No. 571. Mollie Sawyer, petitioner, *v.* Robert T. Stevens, Secretary of the Army, et al.;

No. 132, Misc. Herman Faubert, petitioner, *v.* State of Michigan et al.; and

No. 332, Misc. Edward L. Bradley, petitioner, *v.* Howard University et al. Petitions for rehearing denied. Mr. Justice Harlan took no part in the consideration or decision of these applications.

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No. 242, Misc. Arthur Robinson, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 308, Misc. Duke Chauncey Winston, petitioner, *v.* Robert A. Heinze, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. 402, Misc. Leonard J. Beasley, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 414, Misc. Harding D. Pruitt, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 435, Misc. Mack C. Lewis, petitioner, *v.* State of Mississippi. Petition for writ of certiorari to the Supreme Court of Mississippi denied.

No. 504, Misc. John Henry Tune, petitioner, *v.* State of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

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No. 1. Oliver Brown, Mrs. Richard Lawton, Mrs. Sadie Emmanuel, et al., appellants, *v.* Board of Education of Topeka, Shawnee County, Kansas, et al. Argued by Mr. Harold R. Fatzer for the appellees and by Mr. Robert L. Carter for the appellants.

No. 5. Francis B. Gebhart, William B. Horner, Eugene H. Shallcross, et al., petitioners, *v.* Ethel Louise Belton, an infant, by her Guardian Ad Litem, Ethel Belton, et al. Argued by Mr. Joseph Donald Craven for the petitioners and by Mr. Louis L. Redding for the respondents.

No. 4. Spottswood Thomas Bolling et al., petitioners, *v.* C. Melvin Sharpe et al. Argued by Mr. George E. C. Hayes and Mr. James M.

Nabrit, Jr., for the petitioners and by Mr. Milton D. Korman for the respondents.

No. 2. Harry Briggs, Jr., et al., appellants, *v.* R. W. Elliott, Chairman, J. D. Carson, et al., Members of Board of Trustees of School District No. 22, Clarendon County, S. C., et al.; and

No. 3. Dorothy E. Davis, Bertha M. Davis, and Inez D. Davis, etc., et al., appellants, *v.* County School Board of Prince Edward County, Virginia, et al. Argument commenced by Mr. Spottswood W. Robinson, III, for the appellants.

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Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, April 12, will be as follows: Nos. 2 (and 3).

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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Thomas E. Kelly, of Jersey City, N. J., on motion of Mr. Will Shafroth; S. Baer Keidan, of Detroit, Mich., and Delmer L. Cleland, of Port Huron, Mich., on motion of Mr. Wilbur M. Brucker; John F. Gerity, of New York, N. Y., on motion of Mr. Robert E. Kline, Jr.; and William L. Colden, of Detroit, Mich., on motion of Mr. George E. C. Hayes, were admitted to practice.

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No. 2. Harry Briggs, Jr., et al., appellants, *v.* R. W. Elliott, Chairman, J. D. Carson, et al., Members of Board of Trustees of School District #22, Clarendon County, S. C., et al.; and

No. 3. Dorothy E. Davis, Bertha M. Davis, and Inez D. Davis etc., et al., appellants, *v.* County School Board of Prince Edward County, Virginia, et al. Argument continued by Mr. Thurgood Marshall for the appellants, by Mr. S. E. Rogers and Mr. Robert McC. Figg, Jr., for the appellees in No. 2, by Mr. Archibald G. Robertson and Mr. J. Lindsay Almond, Jr., for the appellees in No. 3, and concluded by Mr. Thurgood Marshall for the appellants.

No. 1. Oliver Brown, Mr. Richard Lawton, Mrs. Sadie Emmanuel, et al., appellants, *v.* Board of Education of Topeka, Shawnee County, Kansas, et al.;

No. 2. Harry Briggs, Jr., et al., appellants, *v.* R. W. Elliott, Chairman, J. D. Carson, et al., Members of Board of Trustees of School District #22, Clarendon County, S. C., et al.;

No. 3. Dorothy E. Davis, Bertha M. Davis, and Inez D. Davis, etc., et al., appellants, *v.* County School Board of Prince Edward County, Virginia, et al.;

No. 4. Spottswood Thomas Bolling et al., petitioners, *v.* C. Melvin Sharpe et al.; and

No. 5. Francis B. Gebhart, William B. Horner, Eugene H. Shallcross, et al., petitioners, *v.* Ethel Louise Belton, an Infant, by her Guardian Ad Litem, Ethel Belton, et al. Argument for the *amici curiae* commenced by Mr. Richard W. Ervin for the State of Florida,

continued by Mr. Ralph E. Odum for the State of Florida, and continued by Mr. I. Beverly Lake for the State of North Carolina.

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Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, April 13, will be as follows: Nos. 1 (2, 3, 4, and 5).

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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John Radley, of Peoria, Ill., on motion of Mr. Royal E. Jackson; Daniel J. Freed, of Mount Vernon, N. Y., on motion of Mr. Herbert A. Bergson; Richard W. Fitch, Jr., of Stamford, Conn., on motion of Mr. Morton S. Jaffe; W. Harwood Huffcut, of San Francisco, Calif., on motion of Mr. Edward Gallagher; George C. Bolles, Jr., of Miami, Fla., on motion of Mr. Ralph E. Odum; and A. Matthew Buder, of Flint, Mich., on motion of Mr. Frank G. Millard, were admitted to practice.

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No. 1. Oliver Brown, Mrs. Richard Lawton, Mrs. Sadie Emmanuel, et al., appellants, *v.* Board of Education of Topeka, Shawnee County, Kansas, et al.;

No. 2. Harry Briggs, Jr., et al., appellants, *v.* R. W. Elliott, Chairman, J. D. Carson, et al., Members of Board of Trustees of School District No. 22, Clarendon County, S. C., et al.;

No. 3. Dorothy E. Davis, Bertha M. Davis, and Inez D. Davis, etc., et al., appellants, *v.* County School Board of Prince Edward County, Virginia, et al.;

No. 4. Spottswood Thomas Bolling et al., petitioners, *v.* C. Melvin Sharpe et al.; and

No. 5. Francis B. Gebhart, William B. Horner, Eugene H. Shallcross, et al., petitioners, *v.* Ethel Louise Belton, an Infant, by her Guardian Ad Litem, Ethel Belton, et al. Argument for the *amici curiae* continued by Mr. I. Beverly Lake for the State of North Carolina, by Mr. Thomas J. Gentry for the State of Arkansas, by Mr. Mac Q. Williamson for the State of Oklahoma, by Mr. C. Ferdinand Sybert for the State of Maryland, by Mr. John Ben Shepperd and Mr. Burnell Waldrep for the State of Texas, and continued by Mr. Solicitor General Sobeloff for the United States.

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Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, April 14, will be as follows: Nos. 1 (2, 3, 4, and 5).

## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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E. Freeman Leverett, of Atlanta, Ga., on motion of Mr. Robert Howell Hall, was admitted to practice.

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No. 1. Oliver Brown, Mrs. Richard Lawton, Mr. Sadie Emmanuel, et al., appellants, *v.* Board of Education of Topeka, Shawnee County, Kansas, et al.;

No. 2. Harry Briggs, Jr., et al., appellants, *v.* R. W. Elliott, Chairman, J. D. Carson, et al., Members of Board of Trustees of School District #22, Clarendon County, S. C., et al.;

No. 3. Dorothy E. Davis, Bertha M. Davis, and Inez D. Davis, etc., et al., appellants, *v.* County School Board of Prince Edward County, Virginia, et al.;

No. 4. Spottswood Thomas Bolling et al., petitioners, *v.* C. Melvin Sharpe et al.; and

No. 5. Francis B. Gebhart, William B. Horner, Eugene H. Shallcross, et al., petitioners, *v.* Ethel Louise Belton, an Infant, by her Guardian Ad Litem, Ethel Belton, et al. Argument for the *amici curiae* concluded by Mr. Solicitor General Sobeloff for the United States. Mr. Thurgood Marshall, for the appellants in Nos. 1, 2, and 3, the petitioners in No. 4 and the respondents in No. 5, replied to the arguments of the *amici curiae*.

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Adjourned until Monday, April 18, next, at 12 o'clock.

The day call for Monday, April 18, will be as follows: Nos. 412, 10, and 417.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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Alex Berman, of Louisville, Ky., Jacob Levy, of Boston, Mass., Harold Forgang, of Newark, N. J., Irvn Gilbert, of Chicago, Ill., Lee V. Priscock, of Jackson, Miss., Lionel Kestenbaum, of Brooklyn, N. Y., Donald C. Osmond, of Cambridge, Mass., and W. Robert Carr, of Princeton, W. Va., on motion of Mr. Solicitor General Simon E. Sobeloff; Roland L. House, of San Antonio, Tex., on motion of Mr. George H. Mahon; J. Howard Edmondson, of Tulsa, Okla., on motion of Mr. Edmond A. Edmondson, Jr.; James H. McGlothlin, of Washington, D. C., on motion of Mr. John Lord O'Brian; Armistead I. Selden, Jr., of Greensboro, Ala., and Edward L. Colebeck, of Florence, Ala., on motion of Mr. Albert M. Rains; Ralph A. Franco, of Montgomery, Ala., on motion of Mr. Henry P. Chandler; Francis Joseph Horan, of New York, N. Y., and Harlan Edward Cecil, of New York, N. Y., on motion of Mr. Charles Sylvanus Rhyne; James F. Carroll, of Saratoga Springs, N. Y., on motion of Mr. Daniel L. O'Connor; Roland V. Wittenberg, of Brooklyn, N. Y., on motion of Mr. F. Trowbridge vom Baur; David W. Walters, of Miami, Fla., on motion of Mr. David Carliner; William D. Crampton, of Washington, D. C., on motion of Mr. R. G. de Quevedo; Herbert Burstein, of New York, N. Y., on motion of Mr. Joseph Rotwein; Lewis S. Beers, of Philipsburg, N. J., Clarence W. Beers, of Phillipsburg, N. J., and James A. Tirrell, Jr., of Phillipsburg, N. J., on motion of Mr. John A. Ryan; Roy C. Cobb, of Gaffney, S. C., on motion of Mr. Robert H. Cobb; William Reuben Ellis, of Springfield, Ohio, on motion of Mr. Belford Vance Lawson, Jr.; Marvin Sherk Sloman, of New York, N. Y., on motion of Mr. James Joseph Bierbower; Arthur H. Christy, of New York, N. Y., on motion of Mr. John S. Walker; M. Q. Sharpe, of Kennebec, S. D., on motion of Mr. Ralph H. Case; Delmar A. Christensen, of Akron, Ohio, on motion of Mr. Bryce Rea, Jr.; Edward D. Courtney, of Duluth, Minn., on motion of Mr. Max M. Kampelman; Raymond Louis Brennan, of Los Angeles, Calif., and Rollin Lee McNitt, Jr., of Whittier, Calif., on motion of Mr. Ugene U. Blalock; Paul J. Varner, of Darien, Ga., on motion of Mr. George Cabell Busick; Roehm A. West, Jr., of Tulsa, Okla., Harold Galen Wilson, of Buffalo, N. Y., Dale J. Briggs, of Tulsa, Okla., Walter Freienmuth Rudeloff, of San Antonio, Tex.,

Edward L. Glazer, of New York, N. Y., Richard W. Carpenter, of Tulsa, Okla., Walter I. Hanson, of Tulsa, Okla., Philip B. Polster, of St. Louis, Mo., Horace Sterling Smith, of Tulsa, Okla., James W. Durham, of St. Louis, Mo., Albert E. Cunliff, of St. Louis, Mo., and John B. Busch, of St. Louis, Mo., on motion of Mr. Francis La Mar Forshee; Jack Ramsey Parr, of Edmond, Okla., Elliott C. Fenton, of Oklahoma City, Okla., Charles E. Earnheart, Jr., of Oklahoma City, Okla., Wayne H. Lewis, of Oklahoma City, Okla., Lloyd Hines, of Oklahoma City, Okla., Charles Douglas Van Dyck, Jr., of Chickasha, Okla., Robert O. Bailey, of Oklahoma City, Okla., Leon Gilbreath Keys, of Oklahoma City, Okla., James E. Horigan, of Oklahoma City, Okla., Edward J. Fauss, of Oklahoma City, Okla., Calvin W. Hendrickson, of Oklahoma City, Okla., and Raymond Gramlich, of Oklahoma City, Okla., on motion of Mr. William O. Coe, were admitted to practice.

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The Chief Justice said:

“The orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally.”

No. 320. Michigan-Wisconsin Pipe Line Company, appellant, *v.* The Corporation Commission of the State of Oklahoma et al.; and

No. 322. Panhandle Eastern Pipe Line Company, appellant, *v.* The Corporation Commission of the State of Oklahoma et al. Appeals from the Supreme Court of Oklahoma. *Per Curiam*: Judgments reversed. *Natural Gas Pipeline Company v. Panoma Corporation et al.* Nos. 191 and 321, October Term, 1954, decided April 11, 1955. Mr. Justice Harlan took no part in the consideration or decision of these cases.

No. 588. Illinois Central Railroad Company et al., appellants, *v.* Mississippi Public Service Commission et al.; and

No. 589. Interstate Commerce Commission, appellant, *v.* Mississippi Public Service Commission et al. Appeals from the United States District Court for the Southern District of Mississippi. *Per Curiam*: The motions to affirm are granted and the judgment is affirmed. Mr. Justice Reed dissents.

No. 604. Douglas McKay, Secretary of the Interior, and Ezra Taft Benson, Secretary of Agriculture, petitioners, *v.* Clackamas County, Oregon. On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. *Per Curiam*: The petition for writ of certiorari is granted. The judgment of the Court of Appeals is vacated and the case is remanded to the District Court with instructions to dismiss the proceeding upon the ground that the cause is moot. Mr. Justice Burton and Mr. Justice Harlan dissent.

No. 605. West Edmond Hunton Lime Unit, a Body Politic and Corporate, appellant, *v.* J. M. Young and Kate Young. Appeal from the Supreme Court of Oklahoma. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question.

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No. 695. National Union of Marine Cooks and Stewards and International Longshoremen's and Warehousemen's Union, petitioners, *v.* National Labor Relations Board et al. The application for a stay is denied.

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No. 593. Perpetual Building and Loan Association, etc., petitioner, *v.* Series Directors of Equitable Building and Loan Association et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 626. Eugene Kormuth, petitioner, *v.* United States Steel Company, Hillman Coal & Coke Company, et al. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 632. Ann B. Roseman Lloyd, petitioner, *v.* Robert W. Campbell, Executor of the Estate of Charles E. Roseman, Jr., Deceased, et al. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 633. Daniel A. Desmond petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 637. F. R. Pellicer, Individually on Behalf of Himself and as an Employee of Railway Express Agency, Inc., etc., petitioner, *v.* Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 638. Benton, Columbia, Coos Counties, et al., Oregon, petitioners, *v.* Clackamas County, Oregon. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 639. Matson Navigation Company, petitioner, *v.* Henry C. Lawler. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 642. Joseph Doto, also known as Joe Adonis, petitioner, *v.* State of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 666. Record Publishing Company of Erie, petitioner, *v.* David Ralph Hertz and Samuel A. Horvitz. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 636. John C. Bruswitz and Edward C. Koenke, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Harlan took no part in the consideration or decision of this application.

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No. 30. The National City Bank of New York, petitioner, *v.* The Republic of China et al. Petition for rehearing denied. Mr. Justice Douglas and Mr. Justice Harlan took no part in the consideration or decision of this application.

No. 153. Securities and Exchange Commission, petitioner, *v.* Drexel and Company. The opinion of the Court handed down February 28, 1955, is amended by adding the following footnote at the end of the first full paragraph on page 4 of the slip opinion:

A petition for rehearing states that Electric is not a "public utility company" within the meaning of the Act and therefore § 12 (d) is inapplicable. We do not prejudice that position by this opinion, for whether or not Electric is a "public utility company," § 12 of the Act is concededly applicable. § 12 (c) provides:

"It shall be unlawful for any registered holding company or any subsidiary company thereof, by use of the mails or any means or instrumentality of interstate commerce, or otherwise, to declare or pay any dividend on any security of such company or to acquire, retire, or redeem any security of such company, in contravention of such rules and regulations or orders as the Commission deems necessary or appropriate to protect the financial integrity of companies in holding-company systems, to safeguard the working capital of public-utility companies, to prevent the payment of dividends out of capital or unearned surplus, or to prevent the circumvention of the provisions of this chapter or the rules, regulations, or orders thereunder."

§ 12 (f) provides:

"It shall be unlawful for any registered holding company or subsidiary company thereof, by use of the mails or any means or instrumentality of interstate commerce, or otherwise, to negotiate, enter into, or take any step in the performance of any transaction not otherwise unlawful under this chapter, with any company in the same holding-company system or with any affiliate of a company in such holding-company system in contravention of such rules and regulations or orders regarding reports, accounts, costs, maintenance of competi-

tive conditions, disclosure of interest, duration of contracts, and similar matters as the Commission deems necessary or appropriate in the public interest or for the protection of investors or consumers or to prevent the circumvention of the provisions of this chapter or the rules and regulations thereunder."

The broad powers granted the Commission under these provisions are plainly adequate to give it the control it reserved in this case over the fees incident to the exchange of the old securities.

No. 153. Securities and Exchange Commission, petitioner, *v.* Drexel and Company. The petition for rehearing is denied. Mr. Justice Harlan took no part in the consideration or decision of this application.

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No. 320, Misc. Brogie Norris, petitioner, *v.* W. Frank Smyth, Jr., Superintendent, Virginia State Penitentiary. Motion for leave to file petition for writ of habeas corpus denied.

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ORDER

It is ordered that the call of the docket, except for special assignments, be suspended for the term upon the conclusion of the arguments in the cases listed for hearing this week.

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ORDER

The Court will take a recess from Monday, April 25, until Monday, May 9, next.

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No. 412. Aubry Williams, petitioner, *v.* State of Georgia. Argued by Mr. Eugene Gressman, as *amicus curiae*, in support of the petitioner by invitation of the Court and by Mr. E. Freeman Leverett and Mr. Robert H. Hall for the respondent, and submitted on brief by Mr. Carter Goode, counsel for the petitioner.

No. 10. The United States, petitioner, *v.* Olympic Radio and Television, Inc. Argument commenced by Mr. Assistant Attorney General H. Brian Holland for the petitioner and continued by Mr. Frederick R. Tansill for the respondent.

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Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, April 19, will be as follows: Nos. 10, 417, 376, and 405.

## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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Arthur E. Lebovitz, of Maplewood, N. J., and David Albert Adelman, of Maplewood, N. J., on motion of Mr. Leonard J. Emmerglick; Barney Papkin, of New Bedford, Mass., on motion of Mr. Geo. Henry Potter; Ezra Parkinson Monson, of Blackfoot, Idaho, on motion of Mr. Addison T. Smith; Carroll Thomas Prince, Jr., of Mobile, Ala., on motion of Mr. Carroll T. Prince; R. Patrick West, of Columbus, Ohio, and William Ernest Rathman, of Middletown, Ohio, on motion of Mr. Charles A. Webb; Frederick Perl Pickard, of Washington, D. C., on motion of Mr. Elcanon Isaacs; Charles W. Jones, of Detroit, Mich., on motion of Mr. William L. Colden; John N. Shephard, of Monterey, Calif., on motion of Mr. Milton V. Freeman; Wendell Holmes McCulloch, Jr., of Bowling Green, Ky., on motion of Mr. Harry E. Taylor, Jr.; and Paul O. Proehl, of Harvey, Ill., on motion of Mr. H. Charles Ephraim, were admitted to practice.

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No. 10. The United States, petitioner, *v.* Olympic Radio and Television, Inc. Argument concluded by Mr. Frederick R. Tansill for the respondent.

No. 417. Lewyt Corporation (now known as Lewyt Manufacturing Corporation), petitioner, *v.* Commissioner of Internal Revenue. Argued by Mr. Seymour Sheriff for the petitioner and by Mr. Assistant Attorney General Holland for the respondent.

No. 376. John P. Peters, petitioner, *v.* Oveta Culp Hobby et al. Argued by Mr. Thurman Arnold and Mr. Paul A. Porter for the petitioner and by Mr. Assistant Attorney General Burger for the respondents. Additional briefs to come by Thursday.

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Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, April 20, will be as follows: Nos. 405, 20, 451, and 468.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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Brice Wilson Rhyne, of Washington, D. C., on motion of Mr. Charles Sylvanus Rhyne; Otto F. Petersen, of Brooklyn, N. Y., on motion of Mr. Albert H. Bosch; Harry C. Ames, Jr., of Washington, D. C., on motion of Mr. Harry Clifton Ames; Gerald A. Sams, of Nowata, Okla., on motion of Mr. Carl E. Williamson; James Robert Lacey, of Newark, N. J., and Joseph Howard Stamler, of Newark, N. J., on motion of Mr. Richard J. Congleton; William Tobin Meyers, of Elgin, Ill., on motion of Mr. Charles Frederick Meyers; James Franklin Chapman, of Jefferson City, Mo., on motion of Mr. Carl G. Lutz; Gerald W. Davis, of Lincoln, Nebr., and Warren E. Van Norman, of Oshkosh, Nebr., on motion of Mr. Carl T. Curtis; Frederick S. Albrink, of Napoleon, Ohio, and Robert Frank Milota, Sr., of Cedar Rapids, Iowa, on motion of Mr. J. Fielding Jones; Ellsworth Martin Jennison, of Washington, D. C., John Howard Lewis, Jr., of Washington, D. C., and Philip J. R. Equi, of Chicago, Ill., on motion of Mr. William E. Beck, Jr.; Russell S. Noblet, of Maryville, Mo., on motion of Mr. Rolla C. Van Kirk; Leopold Frankel, of Paterson, N. J., on motion of Mr. John A. Selby; Myron E. Ropella, of Milwaukee, Wis., on motion of Mr. Thomas H. Carolan; Roberson Lloyd King, of Houston, Tex., on motion of Mr. Joseph C. Waddy; David Winship Tibbott, of Falls Church, Va., on motion of Mr. Alvis Yates Dowell; Julius Helfand, of New York, N. Y., and Jerome C. Ditore, of New York, N. Y., on motion of Mr. Daniel T. Scannell; John T. DeGraff, of Albany, N. Y., on motion of Mr. Paul C. Warnke; and Edward Savage, Jr., of Wood Acres, Md., George W. Markey, Jr., of New York, N. Y., Lawrence E. Chermak, of Washington, D. C., Frederick Sass, Jr., of Chicago, Ill., Daniel P. Byrnes, of Washington, D. C., Vladimir J. Szarek, of De Land, Fla., George W. F. Cook, of Washington, D. C., William L. Brown, of Fairfax, Va., Jerome M. Simon, of New York, N. Y., John H. Martin, of Chicago, Ill., Joseph P. Lynch, of Melrose, Mass., Denis T. O'Sullivan, of Niagara Falls, N. Y., Theodore C. Osborne, of Washington, D. C., Christian L. Swartz, of Arlington, Va., and Norman L. Arenander, of Arlington, Va., on motion of Mr. F. Trowbridge vom Baur, were admitted to practice.

No. 405. In the Matters of Lee Roy Murchison and John White, petitioners. Argued by Mr. William L. Colden for the petitioners and by Mr. Edmund E. Shepherd for the respondent.

No. 20. James R. Ellis, as President of the Yonkers Committee for Peace, an Unincorporated Association, petitioner, *v.* William Dixon et al., as Members of the Board of Education of the City of Yonkers, etc. Reargued by Mr. Emanuel Redfield for the petitioner, by Mr. Daniel T. Scannell for the City of New York, as *amicus curiae*, and by Mr. J. Raymond Hannon for the respondents.

No. 451. Federal Communications Commission, petitioner, *v.* Allentown Broadcasting Corp. Argument commenced by Mr. Warren E. Baker for the petitioner and continued by Mr. Donald C. Beeler for the respondent.

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Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, April 21, will be as follows: Nos. 451, 468, 145, and 616.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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Frank L. Lampson, of Cumberland, Wis., and Larry D. Gilbertson, of Black River Falls, Wis., on motion of Mr. Alexander Wiley; Donnell Knox Wolverton, of Camden, N. J., and James P. McCracken, of Philadelphia, Pa., on motion of Mr. Chas. A. Wolverton; Sally Butler, of Indianapolis, Ind., on motion of Mr. William E. Jenner; Ralph O. Johnson, of Pahokee, Fla., on motion of Mr. Paul G. Rogers; William H. Speck, of Washington, D. C., on motion of Mr. Will Shafroth; Gordon Griffin, of Brownwood, Tex., on motion of Mr. O. Clark Fisher; Gordon Griffin, Jr., of Brownwood, Tex., on motion of Mr. Gray Thoron; Julian O. von Kalinowski, of Los Angeles, Calif., and William Dan Files, of Bastrop, La., on motion of Mr. Jo. V. Morgan, Jr.; John H. Hendren, Jr., of Jefferson City, Mo., on motion of Mr. Arthur W. Manley; Adolphus Moskovitz, of Sacramento, Calif., on motion of Mr. Robert Lee McCarty; and John Horace Little, of Buffalo, N. Y., on motion of Mr. Lloyd Symington, were admitted to practice.

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No. 451. Federal Communications Commission, petitioner, *v.* Allentown Broadcasting Corp. Argument continued by Mr. Donald C. Beeler for the respondent and concluded by Mr. Warren E. Baker for the petitioner.

No. 468. Robert Cecil Bell, petitioner, *v.* United States of America. Argued by Mr. James R. Browning for the petitioner and by Mr. Charles F. Barber for the respondent.

No. 145. Carlos Marcello, petitioner, *v.* John M. Bonds, Officer in Charge, U. S. Immigration and Naturalization Service. Argument commenced by Mr. Jack Wasserman for the petitioner, and continued by Mr. David Carliner for the petitioner and by Mr. Robert W. Ginane for the respondent.

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Adjourned until tomorrow at 12 o'clock.

The day call for Friday, April 22, will be as follows: Nos. 145 and 616.

## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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Meyer H. Goldstein, of Chicago, Ill., and Laurence A. Kusek, of Chicago, Ill., on motion of Mr. Charles A. Boyle; and George M. Washington, of Billings, Mont., on motion of Mr. David Walker Richmond, were admitted to practice.

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No. 145. Carlos Marcello, petitioner, *v.* John M. Bonds, Officer in Charge, U. S. Immigration and Naturalization Service. Argument concluded by Mr. Robert W. Gimmane for the respondent.

No. 616. Edward J. Shaughnessy, District Director of the Immigration and Naturalization Service, etc., petitioner, *v.* United States *ex rel.* Joseph Accardi. Argued by Mr. Marvin E. Frankel for the petitioner and by Mr. Jack Wasserman for the respondent.

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Adjourned until Monday, April 25, next, at 12 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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Nathan Temple Isquith, of New York, N. Y., Paul P. Preston, of Chicago, Ill., Arnold Nagler, of Chicago, Ill., Alan Sayre Rosenthal, of New York, N. Y., and Joseph Rockhill Gray, of Lebanon, Ohio, on motion of Mr. Solicitor General Simon E. Sobeloff; W. Blair Gibbens, of Santa Monica, Calif., Milton H. Silverberg, of Long Beach, Calif., Lowell L. Dryden, of Los Angeles, Calif., on motion of Mr. Stanley N. Barnes; James Michael Haynes, of Knoxville, Tenn., and W. Hoyle Campbell, of Knoxville, Tenn., on motion of Mr. Estes Kefauver; Thomas E. Creighton, of Denver, Colo., Robert Foster May, of Denver, Colo., Clarence R. Geyer, of Denver, Colo., Robert H. B. Kiley, of Denver, Colo., F. J. Kretschmer, of Denver, Colo., and Lucius Earl Woods, of Denver, Colo., on motion of Mr. Byron G. Rogers; Dorothy Deane Ferguson, of Richmond, Va., and David J. Gatzemeier, of Newport, R. I., on motion of Mr. T. Ellis Allison; John G. O'Brien, of Washington, D. C., and Merle C. Rideout, Jr., of Cape Elizabeth, Maine, on motion of Mr. Charles T. Akre; Myer H. Gladstone, of Chicago, Ill., and Mark J. Satter, of Chicago, Ill., on motion of Mr. Irving Geiger; DonEden Olsen Powell, of New York, N. Y., and Richard G. Powell, of New York, N. Y., on motion of Mr. Franklin M. Schultz; Howard N. Golden, of New York, N. Y., and Ralph Wienshienk, of New York, N. Y., on motion of Mr. Albert J. Rosenthal; B. Bill Murad, of Cleveland, Ohio, and Milton Rygh, of Berkeley, Calif., on motion of Mr. Stewart French; William H. Gleason, of Eau Gallie, Fla., and William Alvin Hamilton, of Jacksonville, Fla., on motion of Mr. F. Cleveland Hedrick, Jr.; Charles W. Ficke, of New York, N. Y., Edward J. Schmuck, of Washington, D. C., Dominick A. DeRogatis, of New York, N. Y., and Richard L. Walsh, of Washington, D. C., on motion of Mr. Thomas M. Raysor; Elmer L. Steinbock, of New York, N. Y., William J. Tropp, of New York, N. Y., and Arthur B. Rosenkrantz, of New York, N. Y., on motion of Mr. Leo E. Berson; Kenneth Kendall Koenig, of Jersey City, N. J., Gerald L. Stoetzer, of Detroit, Mich., and H. William Butler, of Detroit, Mich., on motion of Mr. Jacob E. Max; Delbert M. Draper, Jr., of Salt Lake City, Utah, Rex J. Hanson of Salt Lake City, Utah, LaVar E. Stark, of Ogden, Utah, Louis E. Midgley, of

Salt Lake City, Utah, and Peter M. Lowe, of Salt Lake City, Utah, on motion of Mr. Joseph Severn Jones; Edward L. Jennings, of Liberty, Tenn., on motion of Mr. Joe Landon Evins; Pierre A. Frye, of New York, N. Y., on motion of Mr. Henry P. Chandler; Frank H. Getter, of Philadelphia, Pa., on motion of Mr. Michael Waris, Jr.; Samuel G. Smilow, of Minneapolis, Minn., on motion of Mr. Max Kampelman; Gayle James Barnett, of Arlington, Va., on motion of Mr. William F. McKenna; Alexander Black, Jr., of Pittsburgh, Pa., on motion of Mr. David Walker Richmond; Theodore Haugh, of Washington, D. C., on motion of Mr. Wendell Burton Barnes; James J. Kelley, Jr., of Monroe, Mich., on motion of Mr. Edward J. Hayes; Elizabeth I. Johnston, of Brooklyn, N. Y., on motion of Mrs. Caribel Finger Sternbergh; Mary Alice McConnel, of Jacksonville, Fla., on motion of Mr. William A. Sutherland; Paul Macdonald, of Darien, Conn., on motion of Mr. Alfred C. B. McNevin; Richard B. Tolins, of New York, N. Y., on motion of Mr. Nicholas J. Chase; James Andrew McLendon, of Chicago, Ill., on motion of Mr. Belford Vance Lawson, Jr.; Joseph Charles Gribbin, of Toledo, Ohio, on motion of Mr. Joseph Alexander Kaufmann; Armand Cifelli, of Trumbull, Conn., on motion of Mr. Robert E. Redding; Martin Goodman, of New York, N. Y., on motion of Mr. Leonard W. Lewis; Donald C. McClelland, Jr., of Miami, Fla., on motion of Mr. Labre R. Garcia; Louis Rosenzweig, of Detroit, Mich., on motion of Mr. Eugene Gressman; William B. Lawless, Jr., of Buffalo, N. Y., on motion of Mr. Eugene F. Mullin, Jr.; Alice Kupferman Helm, of New York, N. Y., Stephen L. Hoffman, of New York, N. Y., Benjamin E. Alter, of New York, N. Y., Joseph V. Spagna, of New York, N. Y., Paul Rutheiser, of New York, N. Y., Arthur V. Selig, of New York, N. Y., Carl J. Heyser, Jr., of Stony Brook, N. Y., James F. Dunn, of New York, N. Y., Morton Zuckerman, of New York, N. Y., Mortimer E. Greif, of New York, N. Y., Philip F. Barbanell, of New York, N. Y., Paul Colvin, of Dover, N. J., Harry Buchman, of New York, N. Y., Edward E. Colton, of New York, N. Y., Lester Lichter, of Brooklyn, N. Y., Werner Rosenberg, of New York, N. Y., Ruth Whitehead Whaley, of New York, N. Y., Max K. Lerner, of New York, N. Y., Philip L. Winter, of New York, N. Y., Jane M. Sullivan, of Northport, N. Y., Charles H. Sullivan, of Northport, N. Y., Leroy Mandle, of New York, N. Y., Joseph J. Kozinn, of New York, N. Y., Philip S. Guttentag, of New York, N. Y., Irving Jay Greenspan, of New York, N. Y., Murray J. Chikofsky, of New York, N. Y., Robert Reuben Sugarman, of New York, N. Y., Alvin A. Berer, of New York, N. Y., Isidor Bleich, of New York, N. Y., William Tucker, of New York, N. Y., Harvey Greenfield, of New York, N. Y., Emanuel Schoenzeit, of New York, N. Y., Robert Silagi, of New York, N. Y., John A. Ross, Jr., of New York, N. Y., John T. Brickley, of New

York, N. Y., Doris J. McCann, of New York, N. Y., Milton Levin, of Jamaica, N. Y., I. Robert Shniper, of Jamaica, N. Y., Sidney S. Wolchok, of New York, N. Y., Michael A. Paticchio, of Plainfield, N. J., Harry W. Herzog, of Plainfield, N. J., Samuel Komoroff, of Brooklyn, N. Y., Edward J. Greenfield, of New York, N. Y., Alexander Freiser, of New York, N. Y., Herman S. Katz, of New York, N. Y., Max M. Turshen, of Brooklyn, N. Y., Samuel Schaeffer, of New York, N. Y., William B. Rothschild, of New York, N. Y., Carmine A. Ventiera, of Brooklyn, N. Y., Julius J. Cardile, of New York, N. Y., Hilda H. Less, of Dover, N. J., Harry Torczyner, of New York, N. Y., David Kallman, of New York, N. Y., Samuel Spring, of New York, N. Y., H. Leonard King, of New York, N. Y., Alvin H. Kaufer, of New York, N. Y., Murray M. Segal, of New York, N. Y., Lawrence D. Brody, of New York, N. Y., Paul J. Sherman, of New York, N. Y., Stanley H. Handman, of New York, N. Y., Theodore Propp, of Long Beach, N. Y., Evelyn S. Brand, of Brooklyn, N. Y., Frank Sahl, of Woodbury, N. J., Morris Bailinson, of New York, N. Y., Paul M. Beer, of New York, N. Y., Jack E. Levine, of New York, N. Y., Abraham M. Feinstein, of Brooklyn, N. Y., Herbert J. DeVarco, of New York, N. Y., Robert B. Posnick, of New York, N. Y., Nathan Ginsberg, of New York, N. Y., Joseph J. Blank, of New York, N. Y., Albert Mayer, of New York, N. Y., Maxwell Okun, of New York, N. Y., William Rossmoore, of Newark, N. J., Morton L. Leavy, of New York, N. Y., Shanley Norris Egeth, of New York, N. Y., John R. Fernbach, of New York, N. Y., Sidney Szerlip, of Nyack, N. Y., Evelyn R. Lawrence, of Brooklyn, N. Y., Geraldine D. Santangelo, of Brooklyn, N. Y., Louis L. Bucciarelli, of New Canaan, Conn., Jack Stock, of Bridgeport, Conn., Raymond F. Brady, of Newark, N. J., Maxwell E. Kaps, of Jersey City, N. J., Allan L. Tumarkin, of Newark, N. J., Emery I. Nagy, of New York, N. Y., Edward Krowen, of Newark, N. J., Sol Rubin, of New Rochelle, N. Y., Wolfango Edward Cribari, of Mount Vernon, N. Y., Irving A. Rubin, of New Rochelle, N. Y., Daniel Danziger, of New Rochelle, N. Y., Richard C. Ross, of Mount Vernon, N. Y., Theodore R. Jackson, of New York, N. Y., Isaac M. Rothenberg, of Jamaica, N. Y., Milton Fisher, of New York, N. Y., and Herman V. Traub, of New York, N. Y., on motion of Mr. Solicitor General Simon E. Sobeloff; Morris Cohn, of New York, N. Y., Jack Solomon, of New York, N. Y., Murray A. Miller, of New York, N. Y., Meyer Wilen, of Flushing, N. Y., George Rubinfeld, of Flushing, N. Y., Abraham Greenbush, of New York, N. Y., Sidney Leviss, of Flushing, N. Y., Joseph Lubin, of Flushing, N. Y., Leo H. Barry, of New York, N. Y., Picton Earl Gallie, of New York, N. Y., Charles F. Murphy, of Queens, N. Y., Joseph P. Devery, of Brooklyn, N. Y., Fred E. Hertan, of Queens, N. Y., Hugh McLoughlin, of Queens,

N. Y., Arthur F. X. Henriksen, of Queens, N. Y., Gerard E. Molony, of Brooklyn, N. Y., Elliott Kahaner, of Brooklyn, N. Y., Albert F. Kimball, of Queens, N. Y., Israel Howard Kay, of Long Island City, N. Y., Irving Ostrow, of Long Island City, N. Y., Joseph M. Lane, of Long Island City, N. Y., George Kent Weldon, of Flushing, N. Y., Harold Hyman, of Jamaica, N. Y., Alexander Sussman, of Jamaica, N. Y., Julius J. Eingoren, of Jackson Heights, N. Y., Samuel J. Freeman, of Jamaica, N. Y., Louis D. Laurino, of Long Island City, N. Y., Anthony F. Vietri, of Long Island City, N. Y., Joseph P. Axler, of Flushing, N. Y., Sidney Snyderman, of Woodside, N. Y., John J. Leahy, of Astoria, N. Y., Albert H. Buschmann, of Elmhurst, N. Y., Herbert N. Skidell, of Jamaica, N. Y., Jacob Jabs, of Hollis, N. Y., Aloysius J. Maickel, of Bellaire, N. Y., Alex. H. Rosenbaum, of Flushing, N. Y., George R. Selig, of Hollis, N. Y., Mac M. Mordochay, of Whitestone, N. Y., Robert J. Finan, of Flushing, N. Y., Vincent C. Tymann, of Woodside, N. Y., Melvin Wolinsky, of Flushing, N. Y., Philip Wolinsky, of Flushing, N. Y., Alfred D. Lerner, of Jamaica, N. Y., Eugene E. Lefkowitz, of Flushing, N. Y., David Krause, of Rego Park, N. Y., Richard J. Hallinan, of Washington, D. C., Leon Berg, of Forest Hills, N. Y., William H. Hinrichs, of Jamaica, N. Y., Frank G. Hoesch, of Jamaica, N. Y., Samuel L. Albarino, of Scarsdale, N. Y., on motion of Mr. William B. Groat, Jr.; Richard H. Allen, of Memphis, Tenn., Earl P. Davis, of Memphis, Tenn., Paul M. Bryan, of Memphis, Tenn., Alfred J. Bonomo, Jr., of New Orleans, La., Paul F. Rogyom, of New Orleans, La., Robert Henry Gipson, Jr., of New Orleans, La., Arnold Roger Meddin, of Savannah, Ga., William M. Exley, Jr., of Savannah, Ga., Robert R. Cole, of Little Rock, Ark., William L. Terry, of Little Rock, Ark., Richard L. Pratt, of Little Rock, Ark., Charles J. Lincoln, of Little Rock, Ark., W. Dane Clay, of Little Rock, Ark., Ernest Guy Amsler, Jr., of Little Rock, Ark., Hugh P. Futrell, Jr., of Savannah, Ga., Alan Sims Gaynor, of Savannah, Ga., Jack E. Miller, of Savannah, Ga., Michel O. Provosty, of New Orleans, La., John A. Marque, of New Orleans, La., Cecil M. Burglass, Jr., of New Orleans, La., Prim B. Smith, Jr., of New Orleans, La., J. K. Aynesworth, of Waco, Tex., W. V. Dunnam, Jr., of Waco, Tex., Frank B. McGregor, of Waco, Tex., Charles F. Koehne, Jr., of Waco, Tex., on motion of Mr. Albert M. Kuhfeld; George G. Spanos, of Stockton, Calif., Earle Robert Williams, of Stockton, Calif., Norma Klaus, of Berkeley, Calif., David D. Fairbrother, of San Francisco, Calif., Ray Vandervoort, of San Francisco, Calif., Lester S. McElwain, of Oakland, Calif., Jean C. Simpson, of San Francisco, Calif., Thomas Needham, of San Francisco, Calif., John P. Sparrow, of San Francisco, Calif., Richard J. Spear, of Oakland, Calif., Ronald Kenneth Millar, of Menlo Park, Calif., Gordon G. Dale, of San Francisco,

Calif., Richard N. Johnson, of Fremont, Nebr., Francis E. Zingheim, of San Jose, Calif., Bruce Pardee Griswold, of San Jose, Calif., Jack V. McCrary, of Palo Alto, Calif., John Warren Montgomery, of San Jose, Calif., Arthur M. Sammis, of San Francisco, Calif., Peter L. Anello, of San Jose, Calif., Elvera Wollitz Smith, of Oakland, Calif., Albert E. Deasy, of San Francisco, Calif., Benoni H. McClure, of Berkeley, Calif., Robert S. Thaman, of Oakland, Calif., Richard Carey Lynch, of Oakland, Calif., James Getty Shields, Jr., of San Francisco, Calif., John Stanley Cooper, of Oakland, Calif., and James Allison Buchanan, Jr., of San Francisco, Calif., on motion of Mr. Francis La Mar Forshee, were admitted to practice.

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No. 54. Michael J. Regan, petitioner, *v.* The People of the State of New York. On writ of certiorari to the Court of Appeals of New York. Judgment of Court of Appeals of the State of New York affirmed. Opinion by Mr. Justice Reed. Mr. Justice Frankfurter concurs in the result. Concurring opinion by Mr. Chief Justice Warren in which Mr. Justice Clark joins. Dissenting opinion by Mr. Justice Black in which Mr. Justice Douglas concurs. Mr. Justice Harlan took no part in the consideration or decision of this case.

No. 374. Edward J. Shaughnessy, as District Director of Immigration and Naturalization for the District of New York, petitioner, *v.* Mampril Sequeira Pedreiro. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment of Court of Appeals affirmed and case remanded to the United States District Court for the Southern District of New York. Opinion by Mr. Justice Black. Dissenting opinion by Mr. Justice Minton in which Mr. Justice Reed and Mr. Justice Burton join.

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The Chief Justice said:

"The orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

No. 575. John Nicholas Donaducy, appellant, *v.* Commonwealth of Pennsylvania. Appeal from the Supreme Court of Pennsylvania, Western District. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. Mr. Justice Black dissents.

No. 614. State of Wisconsin, *ex rel.* Wisconsin Lutheran High School Conference, Appellant, *v.* Sid H. Sinar, Inspector of Buildings of the City of Wauwatosa, Wisconsin, and E. L. Vanderjagt. Appeal from the Supreme Court of Wisconsin. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question.

— Frank Bompensiero, petitioner, *v.* Superior Court of California, County of San Diego, et al. Application for stay denied.

No. 2. Harry Briggs, Jr., et al., appellants, *v.* R. W. Elliott, Chairman, J. D. Carson, et al., Members of Board of Trustees of School Districts #22, Clarendon County, S. C., et al. Motion for leave to file brief of Louis L. Brown and Robert W. Wesley, as *amici curiae*, denied.

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No. 465. Morris Steiner, Harry Lightman, Mitchell Magid, et al., etc., petitioners, *v.* James P. Mitchell, Secretary of Labor, United States Department of Labor. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit granted and case transferred to the summary calendar.

No. 647. James P. Mitchell, Secretary of Labor, United States Department of Labor, petitioner, *v.* King Packing Company. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted and case transferred to the summary calendar and assigned for argument immediately following No. 465.

No. 629. Paul Dillon, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit granted.

No. 645. Raymond C. Armstrong, petitioner, *v.* Mary R. Armstrong, General Motors Corporation, et al. Petition for writ of certiorari to the Supreme Court of Ohio granted.

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No. 640. Rock Drilling, Blasting, Roads, Sewers, Viaducts, Bridges, Foundations, Excavations and Concrete Work on all Construction, Hod Carriers', Building and Common Laborers' Local Union No. 17, petitioner, *v.* Mason & Hanger Company, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 643. John Mahoney, petitioner, *v.* Sailors' Union of the Pacific, a Voluntary Association, et al. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 646. Carl Bianchi, L. A. Thompson, and William Poster, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 648. J. L. Holbrook, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 649. Esme E. Rosaire, petitioner, *v.* Baroid Sales Division, National Lead Co. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 650. The State of Oklahoma, ex rel. Commissioners of the Land Office of Said State, petitioner, *v.* Magnolia Petroleum Company, a Foreign Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 651. Garnett Seay and Billy Gaddis, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 652. Warren M. Wilson, petitioner, *v.* Homestead Valve Manufacturing Company. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 662. Atlantic Coast Line Railroad Company, petitioner, *v.* H. D. Chancey. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 668. Local 175 of the International Brotherhood of Electrical Workers and Earl W. Burnette, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 670. Herschel S. Green and Madge Green, petitioners, *v.* Oscar L. Green et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 672. New York Life Insurance Company et al., petitioners, *v.* Charles M. Lake, Trustee in Bankruptcy of Eugene M. Callis. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Mr. Justice Harlan took no part in the consideration or decision of this application.

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No. 203. Frank Lewis, petitioner, *v.* United States of America; and No. 417, Misc. Francis J. Hilderbrand, petitioner, *v.* United States of America. Petitions for rehearing denied. Mr. Justice Harlan took no part in the consideration or decision of these applications.

No. 390, Misc. Charles T. Lester, Administrator, etc., petitioner, *v.* National Broadcasting Company, Inc., et al. Motion for leave to file petition for rehearing denied. Mr. Justice Harlan took no part in the consideration or decision of this application.

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Adjourned until Monday, May 9, next, at 12 o'clock.

## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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Edward W. Rothe, of Chicago, Ill., Theodore D. Taubeneck, of St. Louis, Mo., Lee O. Teague, of Denver, Colo., Arnold I. Shure, of Chicago, Ill., James Bryan Spell, of Red Springs, N. C., Henry P. Rubin, of New Rochelle, N. Y., Isabelle R. Cappello, of Arlington, Va., T. Reuben Burnside, of Thomson, Ga., Theophil Carl Kammholz, of Evanston, Ill., and William J. Calise, of New York, N. Y.; on motion of Mr. Solicitor General Simon E. Sobeloff; Gordon L. Allott, of Lamar, Colo., and A. Sterling Gilbert, of Central City, Colo., on motion of Mr. Warren E. Burger; Martha W. Griffiths, of Detroit, Mich., and Hicks G. Griffiths, of Detroit, Mich., on motion of Mr. Estes Kefauver; Jack E. Grisham, of Long Beach, Calif., John Louis Struett, of Long Beach, Calif., John Thomas Moen, of Long Beach, Calif., Fidel Schmitz, of Wilmington, Calif., John R. Kent, of Long Beach, Calif., Eugene O. Heberer, of San Gabriel, Calif., Ronald Leroy Tiday, of Garden Grove, Calif., and Theodore G. Lee, of Long Beach, Calif., on motion of Mr. Craig Hosmer; Stephen Carl Johnson, of San Diego, Calif., James Lawrence Focht, Jr., of San Diego, Calif., Joseph F. McLellan, of La Mesa, Calif., John Mason Jeffrey, of San Diego, Calif., Frank Clifford Owen, of San Diego, Calif., George Richard McClenahan, of San Diego, Calif., Harold Perry Lasher, of San Diego, Calif., J. Sterling Hutcheson, of San Diego, Calif., Thomas P. Golden, of San Diego, Calif., Robert Thomas Sjogren, of San Diego, Calif., Charles Quintin Whelan, of San Diego, Calif., Joseph A. Kilgarif, of San Diego, Calif., Stuart Langley Dougherty, of San Diego, Calif., Fred Kunzel, of San Diego, Calif., Marvin G. Povernny, of San Diego, Calif., O'Neill P. Martin, of San Diego, Calif., James Rozek, of San Diego, Calif., Charles E. Burch, Jr., of San Diego, Calif., John H. Barrett, of San Diego, Calif., James Elliot Bunker, of San Diego, Calif., and R. Sherman Platt, of San Diego, Calif., on motion of Mr. Thomas Henry Kuchel; Helen Carrier Bryant, of Detroit, Mich., and William A. Rhodes, of Detroit, Mich., on motion of Mr. Thaddeus M. Machrowicz; Dominic J. Farina, of New Buffalo, Mich., on motion of Mr. Clare E. Hoffman; Andrew Jefferson Whalen, Jr., of Griffin, Ga., on motion of Mr. John James Flynt, Jr.; John Gutknecht, of Chicago,

Ill., on motion of Mr. James Cuninghame Murray; Whitney Stegall, of Murfreesboro, Tenn., on motion of Mr. Joe Landon Evins; Barratt O'Hara II, of Chicago, Ill., on motion of Mr. Charles A. Boyle; Irving W. Rubin, of New Brunswick, N. J., on motion of Mr. Donald H. McLean; Nicholas S. Rago, of West New York, N. J., on motion of Mr. Richard S. Doyle; Howard E. Bell, of New York, N. Y., on motion of Mr. Richard R. Atkinson; Malcolm M. Champlin, of Oakland, Calif., on motion of Mr. John J. Allen, Jr.; Joseph B. McNamara, of Midland, Tex., Charles L. Bauer III, of Elizabeth, N. J., Preston Bethea Hardy, of Dillon, S. C., Joe P. Peck, of Nashville, Tenn., Layton A. Webb, of Midland, Tex., Richard F. LaRoche, of Murfreesboro, Tenn., Frank Allen Berry, Jr., of Nashville, Tenn., Parker C. Fielder, of Midland, Tex., and John R. Rucker, of Murfreesboro, Tenn., on motion of Mr. Reginald Carl Harmon; James H. Green, Jr., of Phoenix, Ariz., on motion of Mr. Henry F. Ashurst; John L. Rogers, Jr., of Baltimore, Md., on motion of Mr. John L. Rogers; Joseph C. Kauffman, of Cleveland, Ohio, on motion of Mr. Frederick S. Hill; John Albert Beck, of Washington, D. C., and John W. Jurgensen, of St. Paul, Minn., on motion of Mr. Webb C. Hayes III; Nathaniel W. Gold, of Detroit, Mich., on motion of Mr. Ira Howell Ellis; Gerald H. Henley, of Syracuse, N. Y., on motion of Mr. Hugh T. Fullerton; Thomas English McCutchen, Jr., of Columbia, S. C., on motion of Mr. Fred Ervin Youngman; Philip A. Loomis, Jr., of Pasadena, Calif., on motion of Mr. Thomas G. Meecker; William James Foster, of Washington, D. C., on motion of Mr. Laurence J. Bettendorf; Tevis Jacobs, of San Francisco, Calif., on motion of Mr. Joseph A. Kaufmann; Juliet Lowenthal, of San Francisco, Calif., on motion of Mr. Morris Lowenthal; Donald Frederick Frost, of Miami, Fla., on motion of Mr. John J. O'Keefe; Theodore W. Ward, of Pasadena, Calif., on motion of Mr. Allan Oakley Hunter; Corise Patricia Varn, of St. Augustine, Fla., and John R. Brock, of Arlington, Va., on motion of Mr. Roger L. Bumur; William C. Treanor, of New York, N. Y., on motion of Mr. Isaac M. Stewart; Alfred Rodman Hussey, of Plymouth, Mass., on motion of Miss Fannie M. Boyls; Elnyr Doris Newcome, of Washington, D. C., on motion of Mr. Alfred K. Cherry; Edgar J. Nathan, 3d, of New York, N. Y., on motion of Mr. Milton M. Gottesman; Richard Henry Speidel, of Washington, D. C., on motion of Mr. Bolling R. Powell, Jr.; Robert H. Rines, of Boston, Mass., on motion of Mr. David Rines; Ashton L. Stewart, of Baton Rouge, La., on motion of Mr. George Bailey Walsh; Charles Russell Cutler, of Washington, D. C., and Herbert John Miller, Jr., of Washington, D. C., on motion of Mr. Roderick Russell Eagan; Daniel John Meador, of Greenville, Ala., on motion of Mr. Gray Thoron; Claude Roy

Kirk, Jr., of Birmingham, Ala., on motion of Mr. Reubin S. Haslam; Henry Geller, of Washington, D. C., on motion of Mr. John L. FitzGerald; Halsey Taft Tichenor III, of New York, N. Y., on motion of Mr. Charles Goodwin, Jr.; Alfred M. James, of Jersey City, N. J. Thomas J. Kenney, of Jersey City, N. J., and T. James Tumulty, of Jersey City, N. J., on motion of Mr. Joseph P. Tumulty, Jr.; Joseph Leary Delaney, of New York, N. Y., Morris Shilensky, of New York, N. Y., and James D. Walsh, of New York, N. Y., on motion of Mr. Richard L. Walsh; Malcolm R. Warnock, of New York, N. Y., José R. deCapriles, of New York, N. Y., and Theodore A. Kelly, of New York, N. Y., on motion of Mr. Charles A. Horsky; and John R. McConnell, of Philadelphia, Pa., on motion of Mr. J. Louis Monarch, were admitted to practice.

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No. 28. Evelyn Rice, petitioner, *v.* Sioux City Memorial Park Cemetery, Incorporated, a Corporation, et al. On writ of certiorari to the Supreme Court of the State of Iowa. The petition for rehearing is granted. The order of this Court of November 15, 1954, affirming the judgment of the Supreme Court of Iowa is vacated and the writ of certiorari is dismissed as improvidently granted. Opinion by Mr. Justice Frankfurter. Dissenting opinion by Mr. Justice Black in which the Chief Justice and Mr. Justice Douglas join. Mr. Justice Harlan took no part in the consideration or decision of this case.

No. 468. Robert Cecil Bell, petitioner, *v.* United States of America. On writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Judgment reversed and case remanded to the United States District Court for the Eastern District of Tennessee for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Frankfurter. Dissenting opinion by Mr. Justice Minton in which the Chief Justice and Mr. Justice Reed join.

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The Chief Justice said:

"The orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

No. 595. Donald Jackson DeMoss, petitioner, *v.* United States of America. On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit. *Per Curiam*: The petition for writ of certiorari is granted and the judgment is reversed on confession of error by the Government and on the authority of *Bates v. United States*, No. 450, October Term, 1954, decided March 28, 1955.

No. 644. Vern George Davidson, petitioner, *v.* United States of America. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. *Per Curiam*: The petition for writ of certiorari is granted and the judgment of the Court of Appeals is vacated. The cause is remanded to the Court of Appeals for consideration of whether petitioner's conscientious objector claim comes within the provisions of § 6 (j) of the Universal Military Training and Service Act, in which event this case would be governed by *Gonzales v. United States*, 348 U. S. 407.

No. 517, Misc. Gus LaVern Hiller, appellant, *v.* United States of America. Appeal from the United States Court of Appeals for the Ninth Circuit. *Per Curiam*: The appeal is dismissed for want of jurisdiction.

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No. 387. James P. Mitchell, Secretary of Labor, United States Department of Labor, petitioner, *v.* C. W. Vollmer & Company, Inc. Examination of the record raises a question in the Court's mind as to whether this case is moot in view of respondent's completion of his contract. Counsel are invited to submit memoranda upon this point on or before May 14, 1955. See *Commercial Cable Co. v. Burleson*, 250 U. S. 360; *United States v. W. T. Grant Co.*, 345 U. S. 629. The Chief Justice and Mr. Justice Black object to this order.

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No. 624. Mack Barnes, petitioner, *v.* The State of Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 654. Sylvester Papalardo and Patsy Lavelle, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 655. Jack C. Vaughan, petitioner, *v.* Grady Miller, Clerk, United States District Court for the Eastern District of Arkansas. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 656. City of Hastings, Nebraska, petitioner, *v.* Federal Power Commission and Kansas Nebraska Natural Gas Company (Intervenor). Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 657. J. Stacey Henderson, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 658. Abe Bender, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 660. Harvey George DeRosier, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 661. Union Manufacturing Company, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 664. Darsyn Laboratories, Inc., petitioner, *v.* Lenox Laboratories, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 665. Arthur E. Summerfield, Individually and as Postmaster General of the United States, petitioner, *v.* Sunshine Book Company et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 671. Nathan Shurman and Louis Chebatt, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 676. Earl S. Standridge and S. M. Mingus, et al., petitioners, *v.* California Dolomite Company et al. Petition for writ of certiorari to the District Court of Appeal of California, Fourth Appellate District, denied.

No. 680. Isthmus Development Company, petitioner, *v.* Edward R. Burt. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 681. Charles Gusick, petitioner, *v.* Arizona. Petition for writ of certiorari to the Supreme Court of Arizona denied.

No. 683. Albert Gregor Kammerer, petitioner, *v.* Atlantic Coast Line Railroad Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 710. Clyde C. Winslow, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

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No. 598. Raymond Keith Skinner, petitioner, *v.* United States of America ;

No. 609. Henry S. Cato, petitioner, *v.* Cyrus E. Silling, Sr.; and  
No. 470, Misc. In the Matter of Joseph B. Judd, Jr., petitioner. Petitions for re hearing denied.

No. 736, October Term, 1953. Gretchen McRae, petitioner, *v.* Tighe E. Woods, Acting Housing Expediter, Office of Housing Expediter.

Motion for leave to file petition for rehearing denied. Mr. Justice Harlan took no part in the consideration or decision of this motion.

No. 51. Association of Westinghouse Salaried Employees, petitioner, *v.* Westinghouse Electric Corporation;

No. 184. Mac Q. Williamson, Attorney General of the State of Oklahoma, et al., appellants, *v.* Lee Optical of Oklahoma, Inc., et al.;

No. 199. Commissioner of Internal Revenue, petitioner, *v.* Glenshaw Glass Company and William Goldman Theatres, Inc.;

No. 559. Rogers Ridgeway, petitioner, *v.* Georgia Ridgeway;

No. 564. Gretchen McRae, appellant, *v.* United States of America;

No. 590. F. P. Newport Corporation, Ltd., petitioner, *v.* Paul W. Sampsell, Trustee in Bankruptcy of the Estate of F. P. Newport Corporation, Ltd., et al.;

No. 233, Misc. Robert S. Skladd, petitioner, *v.* William H. Bannan, Warden; and

No. 446, Misc. Henry James, petitioner, *v.* United States of America. Petitions for rehearing denied. Mr. Justice Harlan took no part in the consideration or decision of these applications.

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No. 150, Misc. Clarence William Meehan, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the District Court of Appeal of California, First Appellate District, denied.

No. 374, Misc. Frank Adam Herzic, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 387, Misc. Leodis Smart, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 442, Misc. Jerome Hentschel, Cecelia Hentschel, petitioners, *v.* Baby Bathinette Corporation, Sears, Roebuck and Company, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 444, Misc. Albert Joseph Kostal, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the District Court of Appeal of California, Second Appellate District, denied.

No. 455, Misc. James Johnson, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 481, Misc. Mitchell Edward Janowicz, petitioner *v.* People of the State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 484, Misc. Robert F. Ziemann, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 485, Misc. William E. Koss, petitioner, *v.* Ross V. Randolph, Warden. Petition for writ of certiorari to the Circuit Court of Randolph County, Illinois, denied.

No. 488, Misc. Leonard R. Obery, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 491, Misc. Elmer Dolan, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 495, Misc. Henry Davis, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 496, Misc. Willie Norvell, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 498, Misc. Harry Lilly, petitioner, *v.* Ross V. Randolph, Warden. Petition for writ of certiorari to the Circuit Court of Randolph County, Illinois, denied.

No. 499, Misc. George Washington, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 505, Misc. John W. Bruce, petitioner, *v.* Commonwealth of Pennsylvania. Petition for writ of certiorari to the Superior Court of Pennsylvania, Philadelphia District, denied.

No. 506, Misc. Bennie E. Atkinson, petitioner, *v.* O. B. Ellis, General Manager, Texas Prison System, et al. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 511, Misc. William Squire, petitioner, *v.* People of the State of New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Judicial Department, denied.

No. 513, Misc. Winfred Williams, petitioner, *v.* Lawrence Delmore, Jr., Warden. Petition for writ of certiorari to the Supreme Court of Washington denied.

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No. 323, Misc. Jesse Hill, petitioner, *v.* C. H. Looney, Warden;

No. 480, Misc. In the Matter of Jack Weinberg, petitioner;

No. 482, Misc. John J. Dubin, petitioner, *v.* Harry J. Worthing, M. D., etc.;

No. 489, Misc. Lewis M. Meek, petitioner, *v.* State of California;  
No. 497, Misc. Vernon Newton, petitioner, *v.* State of Michigan;  
and  
No. 512, Misc. William Cagle, Jr., petitioner, *v.* William H. Hard-  
wick, Warden, et al. Motions for leave to file petitions for writs of  
habeas corpus denied.

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No. 438, Misc. Cecil L. Wright, petitioner, *v.* United States of  
America; and  
No. 503, Misc. Arthur A. Binkley, petitioner, *v.* Federal District  
Court, Columbus, Ohio, et al. Motions for leave to file petitions for  
writs of certiorari denied.

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## ORDER

The Court will take a recess from today until Monday, May 16,  
next.

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Adjourned until Monday, May 16, next, at 12 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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David Shiverick Smith, of Greenwich, Conn., Bernard Rose, of Los Angeles, Calif., Charles R. Newby, of Los Angeles, Calif., Reginald Byrne Pegram, of Los Angeles, Calif., Albert J. Bernhardt, of Los Angeles, Calif., John L. Flynn, of Los Angeles, Calif., Moses E. Howard, of Los Angeles, Calif., A. J. Blackman, of Los Angeles, Calif., Howard Webster Hart, of Los Angeles, Calif., John Briggs Connolly, of Los Angeles, Calif., Walter Tyrrel Shatford II, of Temple City, Calif., Lewis M. Andrews, of Los Angeles, Calif., Wayne Laurence Van Buskirk, of Los Angeles, Calif., Herbert John Williams, of Los Angeles, Calif., Baldo Martin Kristovich, of Los Angeles, Calif., Harry P. Amstutz, of Los Angeles, Calif., George E. Danielson, of Los Angeles, Calif., Edward Lawrence Johnson, of North Hollywood, Calif., Walt A. Steiger, of Los Angeles, Calif., James Alan Doherty, of Los Angeles, Calif., C. Paul DuBois, of Los Angeles, Calif., William Claude Fields, Jr., of Los Angeles, Calif., James T. Townsell, of Inglewood, Calif., Thomas G. Baggot, of Los Angeles, Calif., Peyton H. Moore, Jr., of Los Angeles, Calif., Evan Weldon Lewis, of Los Angeles, Calif., John J. Varni, of San Fernando, Calif., Elwayne E. Smith, of Huntington Park, Calif., Caryl G. Sheldon, of Pasadena, Calif., Claude B. Cumming, of Los Angeles, Calif., Sidney A. Cherniss, Jr., of South Pasadena, Calif., and Caryl Warner, of Los Angeles, Calif., on motion of Mr. Vice President Richard M. Nixon; Leo N. Knoblauch, of Jersey City, N. J., Anthony Paul Ianneciello, of Boston, Mass., and Ray H. Lafky, of Salem, Oreg., on motion of Mr. Solicitor General Simon E. Sobeloff; Richard H. Poff, of Radford, Va., on motion of Mr. Howard H. Baker; Lewis Cenker, of Atlanta, Ga., on motion of Mr. Jas. C. Davis; Marvin V. Horton, Jr., of Tarboro, N. C., on motion of Miss Helen Newman; Pierce Winningham, Jr., of Jackson, Tenn., on motion of Mr. Estes Kefauver; John Meehan McGowan II, of Phoenix, Ariz., on motion of Mr. John J. Rhodes; George Huddleston, Jr., of Birmingham, Ala., on motion of Mr. Albert M. Rains; Charles Stuart Brown, of Afton, Wyo., on motion of Mr. Joseph C. O'Mahoney; Richard Wendell Smith, of Lincoln, Nebr., on motion of Mr. Carl T. Curtis; Joseph E. Moukad, of New York, N. Y., on motion of Mr. John V. Lindsay; Paul Daniel, of Alexandria, Va., on motion of Mr. John

Chisman Hanes; Robert O. Lukowsky, of Covington, Ky., on motion of Mr. William A. Kehoe, Jr.; James Dempsey, of White Plains, N. Y., and Robert T. Luce, of Chicago, Ill., on motion of Mr. Ralph E. Becker; Joseph F. Deeb, of Grand Rapids, Mich., on motion of Mr. George Morris Fay; Alice Cutts Wainwright, of Coconut Grove, Fla., on motion of Mr. Robert Hale; James Thomas Bullard, of Dallas, Tex., Carl A. Hyldborg, Jr., of Asheville, N. C., Shelby E. Horton, Jr., of Asheville, N. C., Robert Roof George, of Columbia, S. C., M. Boyd Neeley, of Columbia, S. C., LaVerne G. Funderburk, of Columbia, S. C., Robert Ree Gooch, of Terre Haute, Ind., Clyde Monford Thomas, of Winder, Ga., Graddy Tunnell, of Plainview, Tex., Arthur Charles Epperson, of Foley, Ala., Francis William Baker, of San Antonio, Tex., Arthur Vidaver, of Dover, N. J., Irving Lewis Bates, of San Antonio, Tex., Newell Lynn Walker, of Beaumont, Tex., David H. Levin, of Pensacola, Fla., Alfred Frederick Herbelin, of San Antonio, Tex., George Talmadge Roberts, of San Antonio, Tex., William Ware Henderson, Jr., of Pensacola, Fla., Leonard E. Choate, of Beaumont, Tex., Alto V. Watson, of Beaumont, Tex., Joe A. Cowart, Jr., of Pensacola, Fla., George Arnett Gray, of Coleridge, Nebr., and Tom H. King, of San Antonio, Tex., on motion of Mr. Reginald Carl Harmon; Edward L. Dowd, of St. Louis, Mo., and Edward W. Garnholz, of Clayton, Mo., on motion of Mr. Laurance Mastick Hyde; Robert G. Kelly, of Philadelphia, Pa., Francis A. Scanlan, of Philadelphia, Pa., and William R. Deasey, of Philadelphia, Pa., on motion of Mr. James S. Benn, Jr.; Robert O. Aders, of Hagerstown, Ind., on motion of Mr. Charles E. Sells; Gabriel Glantz, of Detroit, Mich., on motion of Mr. Elliott H. Moyer; Howard F. Sachs, of Kansas City, Mo., on motion of Mr. Temple W. Seay; Bruce H. Willner, of Brooklyn, N. Y., and Arthur V. Sullivan, Jr., of Washington, D. C., on motion of Mr. Horace J. Donnelly, Jr.; Donald Berne McCormick, of Portland, Oreg., on motion of Mr. Ray W. Nedrow; Adolph I. King, of Mahopac, N. Y., and Samuel M. Sprafkin, of New York, N. Y., on motion of Mr. Mandel Matthew Einhorn; Raymond E. Hyre, of Cleveland, Ohio, on motion of Mr. William H. Thomas; William Vanuxem Slaughter, of Richmond, Va., on motion of Mr. Flavius B. Walker, Jr.; Harvey Lee Stern, of Trenton, N. J., on motion of Mr. William B. Hanback; Abraham M. Dubno, of Brooklyn, N. Y., and Samuel C. Klein, of Falls Church, Va., on motion of Mr. Hymen Jacob Cohen; Sidney Joseph Wolf, of Chicago, Ill., on motion of Mr. Harry J. Daly; Robert C. Perry, of Chevy Chase, Md., on motion of Mr. John P. Moore; William H. Davidson, Jr., of Houston, Tex., on motion of Mr. Richard J. Connor; Farrell Dee Smith, of Corpus Christi, Tex., John Young, of Corpus Christi, Tex., and John J. Bell, of Cuero, Tex., on motion of Mr. John E. Lyle, Jr.; Edwin Knachel, of Cleveland, Ohio, Donald

Edward Ryan, of Cleveland, Ohio, and Richard C. Oglione, of Cleveland, Ohio, on motion of Mr. Charles A. Webb; Louis Rothstein, of Trenton, N. J., Thomas F. Rhodes, Jr., of Trenton, N. J., Henry F. Gill, of Trenton, N. J., and Edward J. Phelan, of Trenton, N. J., on motion of Mr. Brice Wilson Rhyne; Irving E. Kosky, of Newark, N. J., on motion of Mr. Joseph M. Bonuso; Philip McCallum, of Ann Arbor, Mich., on motion of Mr. Wendell Burton Barnes; Charles Aronin Lippitz, of Miami, Fla., Harold Howard Kassin, of Miami, Fla., and Harold Weinstock, of Stamford, Conn., on motion of Mr. Emmet McNulty Ferguson; Daniel Joseph Leary, of Joplin, Mo., on motion of Mr. Clarence G. Pechacek; Fred Gillam Minnis, of St. Petersburg, Fla., and John R. Tamm, of Daytona Beach, Fla., on motion of Mr. James R. Golden; Richard J. Spooner, of Oklahoma City, Okla., on motion of Mr. Sam Clammer; Frank W. Doherty, of Los Angeles, Calif., on motion of Mr. Daniel L. O'Connor; Abraham Siegel, of Washington, D. C., on motion of Mr. Robert G. Johnson; John Douglass Hunt, Jr., of Alexandria, Va., on motion of Mr. Ward E. Lattin; Edgar Douglas Burgor, of Washington, D. C., on motion of Mr. Daniel W. Cannon; Dan H. McCullough, of Toledo, Ohio, on motion of Mr. William Lawrence McGovern; Bernard Weiss, of New York, N. Y., on motion of Mr. Leonard Raum; Walter Jay Hodes, of Cleveland, Ohio, on motion of Mr. James M. McInerney; and James D. Parriott, Jr., of Denver, Colo., on motion of Mr. J. Reuel Armstrong, were admitted to practice.

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No. 204. Society for Savings in the City of Cleveland, appellant, *v.* Stanley J. Bowers, Tax Commissioner of Ohio; and

No. 220. First Federal Savings and Loan Association of Warren, appellant, *v.* Stanley J. Bowers (Successor to John W. Peck) Tax Commissioner of Ohio. Appeals from the Supreme Court of the State of Ohio. Judgments reversed with costs and cases remanded to the Supreme Court of Ohio for proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Harlan. Mr. Justice Burton took no part in the consideration or decision of these cases.

No. 50. William A. Bisso, Jr., Receiver, New Orleans Coal and Bisso Towboat Co., petitioner, *v.* Inland Waterways Corporation. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment reversed with costs and case remanded to the United States District Court for the Eastern District of Louisiana for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Black. Concurring opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Reed and Mr. Justice Burton join. Mr. Justice Harlan took no part in the consideration or decision of this case.

No. 70. Boston Metals Company, Formerly Named Boston Iron and Metal Company, as owner of the Canadian Destroyer "St. Francis", petitioner, *v.* S/S "Winding Gulf" and Massachusetts Trustees of Eastern Gas and Fuel Associates. On writ of certiorari to the United States Court of Appeals for the Fourth Circuit. Judgment reversed with costs and case remanded to the United States District Court for the Eastern District of Maryland for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Black. Concurring opinion by Mr. Justice Frankfurter. Concurring opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Burton in which Mr. Justice Reed joins. Mr. Justice Harlan took no part in the consideration or decision of this case.

No. 210. United States of America, as Owner of the S. S. Christopher Gale, petitioner, *v.* Chris Nielson et al., Co-Partners Trading Under the Firm Name and Style of Dauntless Towing Line, as Owner of the Tug Dauntless #6. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment reversed with costs and case remanded to the United States District Court for the Eastern District of New York for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Black. Dissenting opinion by Mr. Justice Burton in which Mr. Justice Reed joins. Mr. Justice Harlan took no part in the consideration or decision of this case.

No. 405. In the Matters of Lee Roy Murchison and John White, petitioners. On writ of certiorari to the Supreme Court of the State of Michigan. Judgment reversed with costs and case remanded to the Supreme Court of Michigan for proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Black. Dissenting opinion by Mr. Justice Reed and Mr. Justice Minton in which Mr. Justice Burton joins.

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The Chief Justice said:

"The orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

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No. 659. The Pure Oil Company, appellant, *v.* Stanley J. Bowers, Tax Commissioner of Ohio. Appeal from the Supreme Court of Ohio. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a properly presented substantial federal question.

No. 514, Misc. John B. Donahue, appellant, *v.* State of Connecticut. Appeal from the Supreme Court of Errors of Connecticut. *Per Curiam*: The appeal is dismissed and treating the papers whereon the appeal was taken as a petition for certiorari, certiorari is denied.

— James Madison Burke III et al., petitioners, *v.* United States et al. Motion to waive the rules and docket the case denied.

No. 376. John P. Peters, petitioner, *v.* Oveta Culp Hobby et al. Motion for leave to file brief of Emergency Civil Liberties Committee, as *amicus curiae*, denied.

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No. 157. Ryan Stevedoring Co., Inc., petitioner, *v.* Pan-Atlantic Steamship Corporation. The petition for rehearing is granted. The judgment entered April 11, 1955, is vacated and the case is restored to the docket for reargument. Mr. Justice Harlan took no part in the consideration or decision of the petition for rehearing.

No. 213. Indian Towing Company, Inc., et al., petitioners, *v.* United States of America. The petition for rehearing is granted. The judgment entered April 11, 1955, is vacated and the case is restored to the docket for reargument immediately preceding No. 470. Mr. Justice Harlan took no part in the consideration or decision of the petition for rehearing.

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No. 716. Salvatore Falcone and Joseph Falcone, petitioners, *v.* Harold E. Barnes, Officer in Charge of Immigration and Naturalization Service. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted and case transferred to the summary calendar and assigned for argument immediately following No. 625.

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No. 528. William Heikkila, petitioner, *v.* Bruce G. Barber, Individually and as District Director of Immigration and Naturalization Service. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 674. R. H. Osbrink, M. E. Osbrink, and Berton W. Beals, as Trustee, etc., petitioners, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 675. Jack Hanratty, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 678. Paul Jarrico, petitioner, *v.* RKO Radio Pictures, Inc. Petition for writ of certiorari to the District Court of Appeal of California, Second Appellate District, denied.

No. 684. Ben R. Harriman, Jerry Siner, and Frank Louis DeRosa, petitioners, *v.* United States of America. Petition for writ of cer-

tiorari to the United States Court of Appeals for the Second Circuit denied.

No. 685. People of the State of Illinois, ex rel. Maurice Goldstein, *alias* Maurice Gold and Jack S. Guthman, petitioners, *v.* John E. Babb, Sheriff of Cook County, Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 686. F. C. Dumaine, Jr., petitioner, *v.* Securities and Exchange Commission. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 687. Louis Clifford, Sam Giaimo, and James Thomas, petitioners, *v.* The State of Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 688. The Automatic Die & Products Co., petitioner, *v.* John M. Campbell and Philmore J. Haber, as Trustees for the Cork-A-Lite Development Trust. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 689. Charles Milton Lefors, petitioner, *v.* State of Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 691. Dr. Ross H. Elliott, petitioner, *v.* State of Oregon. Petition for writ of certiorari to the Supreme Court of Oregon denied.

No. 693. Sophie D. Cohen and Meyer Kraushaar, Executors of the Estate of William D. Cohen, Deceased, petitioners, *v.* Bessie G. Glass, Executrix of the Estate of Joseph Glass et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 695. National Union of Marine Cooks and Stewards and International Longshoremen's and Warehousemen's Union, petitioners, *v.* National Labor Relations Board et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 696. Leon F. Urbain and Loxit Systems, Inc., petitioners, *v.* Knapp Brothers Manufacturing Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 697. Bennie C. Caldwell, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 698. Irving Groob, Trustee in Bankruptcy of the Star Brothers Bell Company, petitioner, *v.* Reconstruction Finance Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 699. James Buchanan Hill, petitioner, *v. State of Texas*. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 700. Jack Hazelcorn, petitioner, *v. United States of America*. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 729. Joseph Siciliano, petitioner, *v. State of Illinois*. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 761. Edward Coco, petitioner, *v. State of Florida*. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 703. Jewell M. Schwartz, Administratrix of the Estate of Edmund J. Schwartz, Deceased, petitioner, *v. Kansas City Southern Railway Company, a Corporation*. Petition for writ of certiorari to the Supreme Court of Missouri denied. Mr. Justice Black and Mr. Justice Douglas are of the opinion certiorari should be granted.

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No. 604. Douglas McKay, Secretary of the Interior, and Ezra Taft Benson, Secretary of Agriculture, petitioners, *v. Clackamas County, Oregon*. Petition for rehearing denied.

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No. 333, Misc. Robert E. Lang, petitioner, *v. Robert A. Heinze, Warden*. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 520, Misc. Robert Earl McCoy, petitioner, *v. People of the State of Illinois*. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 521, Misc. Robert Barr, petitioner, *v. Joseph E. Ragen, Warden*. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 522, Misc. Frank Ginivalli, petitioner, *v. William H. Bannan, Warden*. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 527, Misc. Willie E. Myles, petitioner, *v. State of Indiana*. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 536, Misc. Harlan B. Ferguson, petitioner, *v. State of Illinois*. Petition for writ of certiorari to the Circuit Court of Rock Island County, Illinois, denied.

No. 537, Misc. Fred Banks, petitioner, *v. People of the State of Illinois*. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 540, Misc. Oliver S. Smith, petitioner, *v.* Commonwealth of Virginia. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 545, Misc. Joseph Smith, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 547, Misc. Robert M. Crowe, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 548, Misc. Gottfried William Kreuter, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 549, Misc. Frank Eugene Pellegrini, petitioner, *v.* O. B. Ellis, General Manager, Texas Prison System. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 550, Misc. Charles Fleischman, petitioner, *v.* State of New York et al. Petition for writ of certiorari to the Supreme Court of New York, Cayuga County, denied.

No. 551, Misc. Vernon E. Goodson, petitioner, *v.* Commonwealth of Virginia. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 556, Misc. Lonnie Jackson, petitioner, *v.* H. E. Moore, Warden, etc. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 557, Misc. Walter Stewart, petitioner, *v.* State of Ohio. Petition for writ of certiorari to the Court of Appeals of Ohio, Second Appellate District, denied.

No. 558, Misc. William McCoy, petitioner, *v.* State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 559, Misc. William H. Jackson, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 602, Misc. William H. Jackson, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 564, Misc. Billy MacMann, petitioner, *v.* O. B. Ellis, General Manager of the Texas Prison System. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 565, Misc. James Garrow, Jr., petitioner, *v.* State of California. Petition for writ of certiorari to the District Court of Appeal of California, Fourth Appellate District, denied.

No. 566, Misc. Geraldine V. DeFoe, petitioner, *v.* Weaver Bros., Inc. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 569, Misc. Frank Moriconi, petitioner, *v.* People of the State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 573, Misc. Donald Till, petitioner, *v.* Superior Court of San Mateo County, California. Petition for writ of certiorari to the District Court of Appeal of California, First Appellate District, denied.

No. 577, Misc. Jack Williams, petitioner, *v.* Ralph N. Eidson, Warden. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 578, Misc. Robert White, a/k/a Robert Randall, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 589, Misc. Manuel Nordeste, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 600, Misc. Jack Sykes, petitioner, *v.* Harley O. Teets, Warden, et al. Petition for writ of certiorari to the Supreme Court of California denied.

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No. 236, Misc. Robert E. Lang, petitioner, *v.* Robert A. Heinze, Warden;

No. 519, Misc. Edward P. Mitchell, petitioner, *v.* C. H. Looney, Warden;

No. 526, Misc. Harold W. Hopwood, petitioner, *v.* Herbert Brownell, Jr., Attorney General of the United States, et al.;

No. 531, Misc. Jack Sykes, petitioner, *v.* Harley O. Teets, Warden;

No. 538, Misc. John Forsythe, petitioner, *v.* State of New Jersey;

No. 563, Misc. Earnest Lee Potter, petitioner, *v.* R. N. Eidson, Warden;

No. 568, Misc. Edward Davis, petitioner, *v.* Donald Clemmer, Director of Department of Corrections, District of Columbia; and

No. 579, Misc. Theodore LaRose, petitioner, *v.* Donald Clemmer, Director of Department of Corrections, District of Columbia. Motions for leave to file petitions for writs of habeas corpus denied.

No. 493, Misc. William B. Sullivan, petitioner, *v.* Robert A. Heinze, Warden, et al. Motion for leave to file petition for writ of habeas corpus and motions for *subpoena duces tecum* and to appoint a referee denied.

No. 560, Misc. Edward H. Bolesta, petitioner, *v.* United States of America. Application denied.

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Order

The Court will take a recess from today until Monday, May 23, next.

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Adjourned until Monday, May 23, next, at 12 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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Charles W. Newmark, of New York, N. Y., Milton Schleider, of North Arlington, N. J., William Schwartz, of Kearny, N. J., Sol J. Chasnoff, of Kearny, N. J., Fred G. Benton, Jr., of Baton Rouge, La., William B. Taffet, of Trenton, N. J., Edward Donald Moseley, of Baton Rouge, La., Joseph F. McCarthy, of Harrison, N. J., Frank Brenner, of New York, N. Y., Arlington C. White, of San Francisco, Calif., Margaret E. White, of San Francisco, Calif., Edward P. Saltiel, of Chicago, Ill., Philip R. Toomin, of Chicago, Ill., Leo H. Lowitz, of Chicago, Ill., Samuel L. Golan, of Washington, D. C., Theodore Cooke Waters, Jr., of Baltimore, Md., Guy M. Page, Jr., of Burlington, Vt., and Frederick J. Green, Jr., of Baltimore, Md., on motion of Mr. Solicitor General Simon E. Sobeloff; Gordon F. Harrison, of Cranston, R. I., and James Henry Duffy, of Cranston, R. I., on motion of Mr. Theodore Francis Green; Frank N. Bratton, of Athens, Tenn., and Miles Lord, of Minneapolis, Minn., on motion of Mr. Estes Kefauver; James L. Langston, of Fort Smith, Ark., and Thomas Franklin Butt, of Fayetteville, Ark., on motion of Mr. James William Trimble; Christian E. Rogers, Jr., of Johnson City, Tenn., on motion of Mr. Howard H. Baker; George Bridges Foss, Jr., of Birmingham, Ala., on motion of Mr. John Sparkman; Harold J. Ruvoldt, of Jersey City, N. J., and Peter W. Rodino, Jr., of Newark, N. J., on motion of Mr. T. James Tumulty; George Peter Coutrakon, of Springfield, Ill., on motion of Mr. Everett McKinley Dirksen; Robert J. Joling, of Kenosha, Wisc., on motion of Mr. Lawrence H. Smith; George Richard Houston, of Washington, D. C., on motion of Mr. Edward G. Hudon; W. Dean Pfeiffer, of New Orleans, La., Carl J. Schumacher, Jr., of New Orleans, La., Arthur Victor Flotte, of New Orleans, La., Absalom Pettit, of New Orleans, La., Alwynn J. Cronvich, of New Orleans, La., George E. Burgess, Jr., of New Orleans, La., Albert James Fitzwilliam, of New Orleans, La., Edward A. Haggerty, Jr., of New Orleans, La., Frank Joseph Stich, Jr., of New Orleans, La., Ellis Copeland Irwin, of New Orleans, La., and Hugh M. Wilkinson, Jr., of New Orleans, La., on motion of Mr. Francis La Mar Forshee; Samuel James Lee, of Angleton, Tex., Alva Augustus DeLee, of Port Arthur, Tex., Francis

Marhsall Boykin III, of Corpus Christi, Tex., James William Wray, Jr., of Corpus Christi, Tex., Harold Alberts, of Corpus Christi, Tex., Richard D. Hatch, of Aransas Pass, Tex., Moise H. Simon, of Bay City, Tex., Thurman Morris Gupton, of West Columbia, Tex., Lloyd G. Rust, Jr., of Wharton, Tex., Samuel Pessarra, of Freeport, Tex., Leland Barron Kee, of Angleton, Tex., Hall Wesley Griggs, of West Columbia, Tex., Minor Marshall Smith, of Angleton, Tex., William Biddle Langworthy, of Angleton, Tex., Hugh G. Freeland, of Beaumont, Tex., Robert Burke, of Corpus Christi, Tex., Frank M. Pinedo, of Austin, Tex., H. K. Howard, of Corpus Christi, Tex., Ike A. Wynn, of Corpus Christi, Tex., William H. Bloch, of Corpus Christi, Tex., Robert Lee Bunting, Jr., of Corpus Christi, Tex., Jack R. Blackmon, of Corpus Christi, Tex., and C. Elery Holland, of Beaumont, Tex., on motion of Mr. Price Daniel; Hugh B. Muir, of Washington, D. C., on motion of Mr. William A. Sutherland; Daniel Neal Heller, of Miami, Fla., on motion of Mr. John J. O'Keefe; James McSwain Nabers, of Sumter, S. C., Henry F. Mlotkowski, of New York, N. Y., Wilbur James Smolka, of Dayton, Ohio, and Jordan A. Dreifus, of Alexandria, Va., on motion of Mr. William C. Hamilton, Jr.; Lynn C. Paulson, of Cavalier, N. Dak., on motion of Mr. Robert E. Freer; James Barker Wilson, of Seattle, Wash., and Richard K. Pelz, of Seattle, Wash., on motion of Mr. Thomas S. Wilson; Roy Theodore Englert, of Nashville, Tenn., on motion of Mr. James F. Splain; Dorothy Rodgers Waltz, of Lima, Ohio, Robert Eugene Waltz, of Lima, Ohio, and Archibald Marshall Rodgers, of Lima, Ohio, on motion of Mr. Robert W. Minor; Henry Becker Sweitzer, of Arlington, Va., on motion of Mr. Robert H. Hare; Robert W. Booth, of Tulsa, Okla., and James M. Lee, of Tulsa, Okla., on motion of Mr. Josh Lee; Nathan J. Rakita, of Milwaukee, Wisc., and Joseph M. Vucker, of White Plains, N. Y., on motion of Mr. Solomon Alpher; Harold A. Lewis, of Los Angeles, Calif., on motion of Mr. Louis Eisenstein; Charles E. Bennett, of Jacksonville, Fla., and J. William Norman, of Jacksonville, Fla., on motion of Mr. James R. Golden; Roland C. Kizer, of Baton Rouge, La., and Frank S. Craig, Jr., of Baton Rouge, La., on motion of Mr. Daniel L. O'Connor; Walter William Pearson, of Chicago, Ill., and Walter P. Murphy, of Chicago, Ill., on motion of Mr. John H. Dorsey; Charles L. Board, of Pittsburgh, Pa., on motion of Mr. Gordon S. Parker; Ralph Corlies Rudd, of Cleveland, Ohio, L. Reed Miller, of Fairmont, W. Va., George Bunn, of Madison, Wisc., and James O. Juntilla, of Minneapolis, Minn., on motion of Mr. Walton H. Hamilton; George W. Morris, of Wilmington, Del., on motion of Mr. Walter A. Slowinski, Jr.; Harlan T. Moen, of Cherokee,

Iowa, on motion of Mr. David H. Nutt; Harry L. Pate, of Tuscola, Ill., on motion of Mr. Morris Miller; Drexel Dahlke Journey, of Westfield, Wisc., on motion of Mr. Willard W. Gatchell; Cole Oehler, of St. Paul, Minn., on motion of Mr. William Mitchell; Edward D. O'Brian, of Anaheim, Calif., and James D. McElheron, of Binghamton, N. Y., on motion of Mr. Reid C. Tait; R. H. Amphlett Leader, of Frederiksted, V. I., Almeric Leander Christian, of Christiansted, V. I., and William Wood Bailey, of Charlotte Amalie, V. I., on motion of Mr. William J. Jameson; C. Ralph Snowden, of Fairmont, W. Va., on motion of Mr. Noble J. Johnson; Thomas Fitzhugh Dawson, of Washington, D. C., on motion of Mr. Geoffrey Creyke, Jr.; John Austin Daily, of Chicago, Ill., on motion of Mr. Seymour S. Guthman; Seymour Wenner, of Chevy Chase, Md., on motion of Mr. Paul N. Pfeiffer; Julian Caplan, of San Francisco, Calif., on motion of Mr. J. Matthews Neale; E. S. Gardner, of Temecula, Calif., on motion of Mr. Allan Oakley Hunter; Jean F. Dwyer, of Washington, D. C., on motion of Mr. John Joseph Dwyer; Frank Pickering Corbin, Jr., of Morgantown, W. Va., on motion of Mr. Thomas H. King; Gilbert S. Fleischer, of New York, N. Y., on motion of Mr. William Leavenworth Colby; Robert G. Leff, of Newark, N. J., on motion of Mr. Sanford H. Bolz; John V. Gaughan, of Washington, D. C., on motion of Mr. Francis C. Brooke; Italo M. Tarantola, of Flemington, N. J., and Salvatore J. Vuocolo, of Jersey City, N. J., on motion of Mr. Francis L. Coyle; Evander Cade Smith IV, of Anchorage, Alaska, Edward Aloysius White, of Washington, D. C., and Edwin T. Marmorstone, of Washington, D. C., on motion of Mr. Edwin A. Mooers; Nathaniel S. Colley, of Sacramento, Calif., on motion of Mr. George M. Johnson; Kenneth D. Wood, of Silver Spring, Md., Victor William Caputy, of Washington, D. C., Richard J. Snider, of Cleveland, Ohio, Oscar Altshuler, of Washington, D. C., Alexander Louis Stevas, of Washington, D. C., Samuel J. L'Homme-dieu, Jr., of Washington, D. C., Oliver Gasch, of Washington, D. C., Gerard J. O'Brien, of Washington, D. C., Edward O'Brien Fennell, of Washington, D. C., Alfred Burka, of Washington, D. C., George H. Foster, Jr., of Washington, D. C., Louis Andrew Carroll, of Washington, D. C., George J. Donegan, of Springfield, Mo., and E. Riley Casey, of Washington, D. C., on motion of Mr. Leo A. Rover, were admitted to practice.

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The Chief Justice announced the death, on May 17, 1955, of Owen J. Roberts, of Pennsylvania, a former Associate Justice of this Court.

No. 357. Ciraco Maneja, Antone Vierra, Tadao Watanabe, et al., petitioners, *v.* Waialua Agricultural Company, Limited; and

No. 358. Waialua Agricultural Company, Limited, petitioner, *v.* Ciraco Maneja et al. On writs of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment of Court of Appeals reversed with costs and case remanded to the United States District Court for the District of Hawaii for proceedings consistent with the opinion of this Court. Opinion by Mr. Justice Clark. Opinion by Mr. Justice Burton in No. 357 concurring in part and dissenting in part in which Mr. Justice Frankfurter and Mr. Justice Harlan join.

No. 616. Edward J. Shaughnessy, District Director of the Immigration and Naturalization Service, etc., petitioner, *v.* United States ex rel. Joseph Accardi. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment of Court of Appeals reversed and that of District Court affirmed and case remanded to the United States District Court for the Southern District of New York. Opinion by Mr. Justice Clark. Dissenting opinion by Mr. Justice Black in which Mr. Justice Frankfurter joins. Mr. Justice Harlan took no part in the consideration or decision of this case.

No. 10. The United States, petitioner, *v.* Olympic Radio and Television, Inc. On writ of certiorari to the United States Court of Claims. Judgment reversed and case remanded to the Court of Claims for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Douglas. Mr. Justice Harlan took no part in the consideration or decision of this case.

No. 417. Lewyt Corporation (now known as Lewyt Manufacturing Corporation), petitioner, *v.* Commissioner of Internal Revenue. On writ of certiorari to the United State Court of Appeals for the Second Circuit. Judgment affirmed in part and reversed in part and case remanded to the Court of Appeals for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Reed and Mr. Justice Burton join. Mr. Justice Harlan took no part in the consideration or decision of this case.

No. 8. Thomas Quinn, petitioner, *v.* United States of America. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment of Court of Appeals reversed and case remanded to the United States District Court for the District of Columbia with directions to enter a judgment of acquittal. Opinion by Mr. Chief Justice Warren. Opinion by Mr. Justice Harlan concurring in the result. Dissenting opinion by Mr. Justice Reed.

No. 9. Julius Emspak, petitioner, *v.* United States of America. On writ of certiorari to the United States Court of Appeals for the

District of Columbia Circuit. Judgment of the Court of Appeals reversed and case remanded to the United States District Court for the District of Columbia with directions to enter a judgment of acquittal. Opinion by Mr. Chief Justice Warren. Dissenting opinion by Mr. Justice Reed in which Mr. Justice Minton joins. Dissenting opinion by Mr. Justice Harlan.

No. 117. Philip Bart, petitioner, *v.* United States of America. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment of Court of Appeals reversed and case remanded to the United States District Court for the District of Columbia with directions to enter a judgment of acquittal. Opinion by Mr. Chief Justice Warren. Dissenting opinion by Mr. Justice Reed in which Mr. Justice Minton joins. Dissenting opinion by Mr. Justice Harlan.

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The Chief Justice said:

“The orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally.”

No. 623. National Bank of Detroit, a National Banking Association, appellant, *v.* Department of Revenue of the State of Michigan. Appeal from the Supreme Court of Michigan. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed.

No. 694. David Rines, Individually and as Administrator of Estate of Lucy L. Rines, Petitioner to Establish the Truth of Exceptions, appellant. Appeal from the Supreme Judicial Court of Massachusetts. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question.

No. 701. Commonwealth of Pennsylvania, appellant, *v.* The Budd Company (Formerly Edward G. Budd Manufacturing Company) et al. Appeal from the Supreme Court of Pennsylvania, Middle District. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for failure to properly present a federal question. As to questions not subject to review by appeal the papers whereon the appeal was taken are treated as a petition for writ of certiorari and certiorari is denied for the reason that the judgments rest on adequate state grounds.

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No. 11, Original. The State of Mississippi, plaintiff, *v.* The State of Louisiana. This case is set for hearing on Monday, October 10, next, on the exceptions to the report of the Special Master. The brief of the State of Louisiana is to be filed on or before August 25 and that of the State of Mississippi 30 days after service of brief of the State of Louisiana.

No. 11, Original. The State of Mississippi, plaintiff, *v.* The State of Louisiana. It is ordered by this Court that D. K. McKamy, Esquire,

be and he is hereby, awarded the sum of \$15,000 as compensation for his services as Special Master in this case, and that his disbursements totaling \$935.32 be allowed.

Subject to any further order as to the division of costs each party is directed to pay the Special Master one-half of the total of the compensation awarded and disbursements allowed.

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No. 704. James P. Mitchell, Secretary of Labor, United States Department of Labor, petitioner, *v.* Myrtle Grove Packing Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted and the case transferred to the summary calendar.

No. 715. Rex Trailer Company, Inc., petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted and case transferred to the summary calendar.

No. 736. Federal Power Commission, petitioner, *v.* Sierra Pacific Power Company; and

No. 744. Pacific Gas and Electric Company, petitioner, *v.* Sierra Pacific Power Company. Petitions for writs of certiorari to the United States Court of Appeals for the District of Columbia Circuit granted and the cases assigned for argument immediately following Nos. 436 and 556.

No. 416, Misc. Judson Griffin and James Crenshaw, petitioners, *v.* People of the State of Illinois. The motion for leave to proceed in forma pauperis is granted. Petition for writ of certiorari to the Supreme Court of Illinois granted and case transferred to the appellate docket.

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No. 319. Henry R. Pickett, Richard L. Kirby, and Harold Wirsing, petitioners, *v.* State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 702. Ugo Rossi, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 705. Winnie Colbert, now Brians, petitioner, *v.* C. W. Roodhouse. Petition for writ of certiorari to the Supreme Court of Oklahoma denied.

No. 706. The United States, petitioner, *v.* Russell H. Williams, d/b/a Williams Equipment Co., et al.; and

No. 707. The United States, petitioner, *v.* General Casualty Company of America et al. Petitions for writs of certiorari to the United States Court of Claims denied.

No. 708. Anglo Chinese Shipping Company, Ltd., petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 709. William A. Berry, petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 711. Consolidated Engineering Corporation, petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 717. Sydney J. Wood, Doing Business Under the Firm Name and Style of 53rd Street Subway Liquor Store, petitioner *v.* John M. O'Grady, Individually and as President, et al. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 719. Jerry Allen Niles, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 720. Elmer J. Schnackenberg, petitioner, *v.* Roland Towle. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 726. Robert Maxwell Watts, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 730. Harry J. Alker, Jr., petitioner, *v.* Fidelity-Philadelphia Trust Company, Trustee, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 712. Thoger Gronborg Jungersen, petitioner, *v.* Axel Bros., Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Harlan took no part in the consideration or decision of this application.

No. 714. Dictograph Products, Inc., petitioner, *v.* Federal Trade Commission. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Harlan took no part in the consideration or decision of this application.

No. 727. Warren E. Wright, Successor to Elmer J. Hoffman, Treasurer of the State of Illinois, et al., petitioners, *v.* Mississippi River Fuel Corporation. The motion that cause proceed with Warren E. Wright as one of the petitioners is granted. Petition for writ of certiorari to the Supreme Court of Illinois denied.

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No. 584. Seaboard Air Line Railroad Company, appellant, *v.* United States of America, Interstate Commerce Commission, and Atlantic Coast Line Railroad Company. The petition for rehearing is denied.

No. 238, Misc. Ronceford Lovejoy, petitioner, *v.* Orel J. Skeen, Warden. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 398, Misc. John Collins, petitioner, *v.* Robert A. Heinze, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 428, Misc. Joseph Ortega, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 532, Misc. Sigmund Pollack, petitioner, *v.* James T. Aspbury et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 535, Misc. George J. Furman, petitioner, *v.* State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 539, Misc. Norman J. Brabson, petitioner, *v.* State of New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 570, Misc. Reece A. Lawson, petitioner, *v.* State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 571, Misc. Rudolf Worbetz, petitioner, *v.* State of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 572, Misc. George W. Porter, Jr., petitioner, *v.* W. Frank Smyth, Jr., Superintendent of Virginia State Penitentiary. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 591, Misc. Harley Butler, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 561, Misc. Commodore Perry Sam, petitioner, *v.* Lawrence E. Delmore, Jr., Warden. Petition for writ of certiorari to the Supreme Court of Washington denied. The motion for leave to file petition for writ of habeas corpus is also denied.

No. 660, Misc. Eugene Burwell, petitioner, *v.* People of the State of California. The petition for stay of execution is denied. Petition for writ of certiorari to the Supreme Court of California also denied.

No. 678, Misc. James Alonzo Rogers, petitioner, *v.* People of the State of California. The petition for stay of execution is denied. Petition for writ of certiorari to the Supreme Court of California also denied.

No. 516, Misc. Ruth Farnum, petitioner, *v.* Dr. Newton Bigelow, Commissioner, etc., et al. The motion for leave to file petition for writ of mandamus and for other relief is denied.

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No. 553, Misc. Ex parte Clarence L. Butler, petitioner;

No. 562, Misc. Wayman Clinton Hamilton, petitioner, *v.* Herbert Brownell, Jr., U. S. Attorney General; and

No. 585, Misc. William Henry Chapman, petitioner, *v.* C. H. Looney, Warden, et al. The motions for leave to file petitions for writs of habeas corpus are severally denied.

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#### Order

The Court will take a recess from today until Tuesday, May 31, next.

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Adjourned until Tuesday May 31, next, at 12 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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Robert E. Nelson, of Green Bay, Wis., Paul Joseph Clerman, of Brooklyn, N. Y., Oscar G. Peterson, of Pittsburgh, Pa., Sidney S. Levine, of New York, N. Y., Benjamin H. Stadtmauer, of Garfield, N. J., Alice E. Rubin, of Brooklyn, N. Y., and Milton Berzin, of Brooklyn, N. Y., on motion of Mr. Solicitor General Simon E. Sobeloff; Herman Welker, of Payette, Idaho, and George Donart, of Weiser, Idaho, on motion of Mr. Stanley N. Barnes; Daniel F. DeLear, of Jersey City, N. J., Leo Kaplowitz, of Linden, N. J., Emanuel Margulies, of Linden, N. J., and James Joseph Mahoney, of Chicago, Ill., on motion of Mr. James Cunningham Murray; Harold Brady Johnson, of Indianapolis, Ind., on motion of Mr. William E. Jenner; Colette B. Dusthimer, of Atlanta, Ga., on motion of Mr. Jas. C. Davis; George Tilford, of Malverne, N. Y., on motion of Mr. Albert H. Bosch; G. Hugo Whitehouse, of Miami, Fla., on motion of Mr. Paul G. Rogers, Jr.; McKinley Clayton Lewis, Jr., of Hot Springs, Ark., on motion of Mr. W. F. Norrell; James A. Winters, of San Antonio, Tex., on motion of Mr. Joe M. Kilgore; Owen M. Panner, of Bend, Oreg., on motion of Mr. Walter Norblad; William Biddick, Jr., of Stockton, Calif., on motion of Mr. Justin Leroy Johnson; Robert R. Renfro, of Portland, Oreg., Warren Cecil Jaycox, of Washington, D. C., Ernest M. Page, Jr., of Madison, Fla., Fred L. Belcher, of Nashville, Ga., James T. Bennett, Jr., of Valdosta, Ga., Richard Harcourt Moore III, of Fort Worth, Tex., Joseph Patrick Burt, of Fort Worth, Tex., Travis E. Alley, of Fort Worth, Tex., Jack Gordon Ball, of Fort Worth, Tex., Harry Boehme, Jr., of Miami, Fla., George W. Overshiner, of Abilene, Tex., Dan Martin Fergus, of Abilene, Tex., Carlisle G. Whitten, of Abilene, Tex., Tom Gordon, of Abilene, Tex., Robert Milton McClosky, of Miami Beach, Fla., Martin Greenbaum, of Miami Beach, Fla., Bennett M. Lifter, of Miami Beach, Fla., Al L. Schneider, of Jacksonville, Fla., Marshall M. Chern, of Miami, Fla., Irving Peskoe, of Homestead, Fla., and John Alexander Kendrick, of Washington, D. C., on motion of Mr. Reginald Carl Harmon; Pat A. McCormick, of Los Angeles, Calif., on motion of Mr. Royal

E. Jackson; Bernard M. Eiber, of New York, N. Y., on motion of Mrs. Geraldine T. Eiber; Israel H. Saltman, of Perth Amboy, N. J., on motion of Mr. Jackson Brodsky; B. M. Berla, of Dover, N. J., on motion of Mr. Sanford H. Bolz; Donald McLellan Davidson, of Seattle, Wash., on motion of Mr. James R. Browning, Jr.; Andrew A. Lipscomb, of Washington, D. C., Robert Meade Gray, of Washington, D. C., and Walter Franklin Sheble, of Washington, D. C., on motion of Mr. Geoffrey Creyke, Jr.; Robert S. Spilman, Jr., of Charleston, W. Va., Frederick Lionel Thomas, Jr., of Charleston, W. Va., and Lyell Buffington Clay, of Charleston, W. Va., on motion of Mr. Richard C. Marshall III; W. E. Keeley, of Deer Lodge, Mont., on motion of Mr. B. K. Wheeler; Robert Edward Frederick, of Phillipsburg, N. J., Stanley E. Rutkowski, of Trenton, N. J., Stanley M. Epstein, of Boston, Mass., John George Thevos, of Paterson, N. J., Vincent D. Girard, of Trenton, N. J., John Palaschak, Jr., of Hopewell, N. J., Stephen J. Zielinski, of Trenton, N. J., Alexander E. Fasoli, of Paterson, N. J., William J. Arnold, of Englewood, N. J., Fred C. Galda, of Paramus, N. J., and Morris Malech, of Carlstadt, N. J., on motion of Mr. Ralph F. Fusco; Benjamin Sneed, of New York, N. Y., and Marion Gaines Hill, of New York, N. Y., on motion of Mr. Howard E. Bell; John Harold Cassidy, of St. Louis, Mo., on motion of Mr. Royal L. Coburn; Robert Gregory Sampson, of Chicago, Ill., and Patrick W. Dunne, of Chicago, Ill., on motion of Mr. Brice Wilson Rhyne; Joseph M. Syman, of Milwaukee, Wis., Andrew Charles Shane, of Milwaukee, Wis., Robert Watson Landry, of Milwaukee, Wis., Alvin Robert Meyer, of Milwaukee, Wis., Andrew G. Kohlan, of Minneapolis, Minn., A. Harold Peterson, of Chisago City, Minn., Otis Hampton Prinkey, of St. Louis Park, Minn., Joseph Carl Schwalbach, of Milwaukee, Wis., Frank Charles Conrad, of Milwaukee, Wis., Albert Milton Stanich, of Milwaukee, Wis., John M. Reinhart, of Milwaukee, Wis., Harold Harris, of Milwaukee, Wis., David J. Schoetz, of Milwaukee, Wis., Joseph A. Blatecky, of Milwaukee, Wis., Elliot N. Walstead, of Milwaukee, Wis., W. Warren Cole, Jr., of Daytona Beach, Fla., David V. Jennings, Jr., of Milwaukee, Wis., Martin B. Gedlen, of Milwaukee, Wis., Stanley D. Celichowski, of Milwaukee, Wis., Edmond F. Zeisig, of Milwaukee, Wis., Harold G. Wines, of Milwaukee, Wis., James J. Bonifas, of Milwaukee, Wis., Walter E. Riordan, of Minneapolis, Minn., Homer E. Truss, of Milwaukee, Wis., Robert James Casper, of Shorewood, Wis., Robert Michael Curley, of Milwaukee, Wis., John Joseph Ermenc, of Shorewood, Wis., Harvey George Odenbrett, of Wauwatosa, Wis., Patrick Hammond Fass, of Milwaukee, Wis., and Patrick John Madden, of Milwaukee, Wis., on motion of Mr. Francis La Mar Forshee; George David Parrish, of Miami, Fla., on motion

of Mr. H. Donald Kistler; Frank Groom Kirtz, of St. Louis, Mo., and Edmund Clynes, of Rochester, N. Y., on motion of Mr. Gordon S. Harrison; Robert H. Weinstein, of Boston, Mass., on motion of Mr. Abraham H. Weinstein; Nicholas Ewing Oglesby, Jr., of Washington, D. C., on motion of Mr. James J. Shanley; John P. Allison, of New York, N. Y., on motion of Mr. Leonard C. Ackermann; Jerome G. Shapiro, of New York, N. Y., on motion of Mr. Harold L. Smith; John H. Dougherty, of Falls Church, Va., on motion of Mr. Charles H. Vaughn; Irving M. Pollack, of Brooklyn, N. Y., on motion of Mr. William H. Timers; Herbert E. Arfman, of Salem, Ohio, on motion of Mr. James G. Gregg; Robert Coe, of Washington, D. C., on motion of Mr. Harry Clabaugh Lamberton; John L. Finn, of Rockville, Md., on motion of Mr. Robert Miller Thorniley; Miriam Milliken deHaas, of Washington, D. C., on motion of Mr. Daniel J. Andersen; Joseph E. Monaghan, of Orange, N. J., on motion of Mr. Frederick R. Tansill; James Thomas Smith, of Annapolis, Md., on motion of Mr. Thomas J. Tingley; Warren Daley Quenstedt, of Washington, D. C., on motion of Mr. Milton D. Korman; John Edward McCarty, of Washington, D. C., on motion of Mr. William S. Tyson; Joseph Peter Adams, of Seattle, Wash., on motion of Mr. Roscoe Rizley; Paul Julian Kern, of New York, N. Y., on motion of Mr. Harry N. Rosenfield; Ellis Fletcher Morris, of Houston, Tex., on motion of Mr. Gray Thoron; John M. Cunneen, of New York, N. Y., on motion of Mr. Laurence H. Axman; George Philip Newton, of Baker, Oreg., on motion of Mr. Allan Oakley Hunter; Frederick H. Cole, of Petersburg, Va., on motion of Mr. Newell A. Clapp; Dulse Lux Hudnall, of Tyler, Tex., on motion of Mr. Mastin G. White; John A. Hayes, of Boston, Mass., on motion of Mr. Eugene T. Kinnaly; Robert R. Irwin, Jr., of Topeka, Kans., on motion of Mr. Richard B. McEntire; Releford McGriff, of Jacksonville, Fla., on motion of Mr. Joseph C. Waddy; Garnett Thomas Eisele, of Little Rock, Ark., on motion of Mr. Jay W. Glasmann; Edwin Segal, of Camden, N. J., on motion of Mr. Y. D. Mathes; Pearl Michael, of New York, N. Y., on motion of Mr. John Calvin Williamson; Robert S. Kreindler, of New York, N. Y., on motion of Mr. William H. Collins, and G. Duane Vieth, of Washington, D. C., and Abraham Krash, of Washington, D. C., on motion of Mr. Abe Fortas, were admitted to practice.

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No. 145. Carlos Marcello, petitioner, *v.* John M. Bonds, Officer in Charge, U. S. Immigration and Naturalization Service. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment affirmed and case remanded to the United States District Court for the Eastern District of Louisiana. Opinion by

Mr. Justice Clark. Dissenting opinion by Mr. Justice Black in which Mr. Justice Frankfurter joins. Dissenting opinion by Mr. Justice Douglas. Mr. Justice Harlan took no part in the consideration or decision of this case.

No. 1. Oliver Brown, Mrs. Richard Lawton, Mrs. Sadie Emmanuel, et al., appellants, *v.* Board of Education of Topeka, Shawnee County, Kansas, et al. Appeal from the United States District Court for the District of Kansas;

No. 2. Harry Briggs, Jr., et al., appellants, *v.* R. W. Elliott, Chairman, J. D. Carson, et al., Members of Board of Trustees of School District #22, Clarendon County, S. C., et al. Appeal from the United States District Court for the Eastern District of South Carolina;

No. 3. Dorothy E. Davis, Bertha M. Davis, and Inez D. Davis, etc., et al., appellants, *v.* County School Board of Prince Edward County, Virginia, et al. Appeal from the United States District Court for the Eastern District of Virginia;

No. 4. Spottswood Thomas Bolling et al., petitioners, *v.* C. Melvin Sharpe et al. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit; and

No. 5. Francis B. Gebhart, William B. Horner, Eugene H. Shallcross, et al., petitioners, *v.* Ethel Louise Belton, an Infant, by her Guardian Ad litem, Ethel Belton et al. On writ of certiorari to the Supreme Court of Delaware. Judgments below, except that in the Delaware case, reversed with costs and cases remanded to the District Courts to take such proceedings and enter such orders and decrees consistent with the opinion of the Court announced today as are necessary and proper to admit to public schools on a racially non-discriminatory basis with all deliberate speed the parties to these cases. The judgment in the Delaware case—ordering the immediate admission of the plaintiffs to schools previously attended only by white children—is affirmed on the basis of the principles stated in the opinion of this Court of May 17, 1954, but the case is remanded to the Supreme Court of Delaware for such further proceedings as that court may deem necessary in light of the opinion announced today. Opinion by Mr. Chief Justice Warren.

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The Chief Justice said:

“The orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally.”

No. 663. William Y. Fong, as Guardian Ad litem for Fong Wone Jing, et al., petitioners, *v.* John Foster Dulles, as Secretary of State. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. *Per Curiam:* The petition for writ of certiorari is granted. The judgment of the Court of Appeals is

vacated and the case is remanded to the District Court for a new trial in accordance with the Government's suggestion.

No. 677. Walter E. Meyer et al., appellants, *v.* St. Louis Southwestern Railway Company et al. Appeal from the Supreme Court of Missouri. *Per Curiam*: The motions to dismiss are granted and the appeal is dismissed for want of a substantial federal question. Mr. Justice Frankfurter took no part in the consideration or decision of this case.

No. 742. William H. Combs et al., appellants, *v.* The Illinois State Toll Highway Commission et al. Appeal from the United States District Court for the Northern District of Illinois. *Per Curiam*: The motion to affirm is granted and the judgment is affirmed. The motion to limit the time for filing rehearing and to issue the mandate forthwith is granted. Petition for rehearing, if any, is to be filed prior to 11:00 a. m., Friday, June 3d.

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No. 9, Original. The State of Texas, plaintiff, *v.* The State of New Mexico et al. This case is set for hearing on Monday, October 10th, next, on the exceptions to the report of the Special Master dated January 31, 1955.

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No. 690. Victor D. Gibson, petitioner, *v.* Lockheed Aircraft Service, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted.

No. 718. Communist Party of the United States of America, petitioner, *v.* Subversive Activities Control Board. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit granted.

No. 731. Norman C. Bernhardt, petitioner, *v.* Polygraphic Company of America, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted.

No. 458, Misc. Daniel Castaneda Gonzales, petitioner, *v.* H. R. Landon, District Director of Immigration and Naturalization of District No. 16, et al. The motion for leave to proceed in forma pauperis is granted. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted and the case is transferred to the appellate docket.

No. 588, Misc. Amos Reece, petitioner, *v.* State of Georgia. The motion for leave to proceed in forma pauperis is granted. Petition for writ of certiorari to the Supreme Court of Georgia granted and the case is transferred to the appellate docket and assigned for argument immediately following No. 628.

No. 679. Gordon Smith, petitioner, *v.* State of Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 721. Lew Wah Fook, as Guardian Ad litem for Lew Suey Yet, also known as Lew Thew Yut, petitioner, *v.* Herbert Brownell, Jr., as Attorney General of the United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 722. Joseph T. Connolly, Receiver of Salt Springs National Bank, et al., petitioners, *v.* First Trust & Deposit Company. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 723. Sheldon Wheeler, petitioner, *v.* United States of America; and

No. 724. William McGowan, petitioner, *v.* United States of America. Petitions for writs of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 725. Capitol Hill Southeast Citizens Association, petitioner, *v.* Theodore I. Coe et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 728. S. P. Beecher, Farm Debtor, petitioner, *v.* Leavenworth State Bank et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 732. Merchants Matrix Cut Syndicate, Inc., et al., petitioners, *v.* United States of America and Clark-Congress Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 734. Vermont Transit Co., Inc., petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 737. Panhandle Eastern Pipe Line Company, petitioner, *v.* Federal Power Commission et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 739. Business Men's Assurance Company of America, petitioner, *v.* Hubert Wesley Driggers. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 740. Keith M. Beaty, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 741. Walter Johnson, petitioner, *v.* State of Mississippi. Petition for writ of certiorari to the Supreme Court of Mississippi denied.

No. 745. William J. Fitzpatrick, petitioner, *v.* Philip W. Snyder, Commander, Boston Naval Shipyard, et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 746. Thys Company and E. Clemens Horst Company, petitioners, *v.* Anglo-California National Bank, Executor of the Estate of Sophia Oeste, Deceased. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 748. Mall Tool Company, petitioner, *v.* Borg-Warner Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 768. Harold B. Gordon, etc., petitioner, *v.* Minerva Gordon et al. Petition for writ of certiorari to the Probate Court of Massachusetts, Bristol County, denied.

No. 773. Tubular Service and Engineering Company et al., petitioners, *v.* Sun Oil Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 667. Heber A. Peterson et al., petitioners, *v.* Phillips Petroleum Company. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Mr. Justice Harlan took no part in the consideration or decision of this application.

No. 735. Jane Froman, petitioner, *v.* Pan American Airways, Inc. Petition for writ of certiorari to the Court of Appeals of New York denied. Mr. Justice Harlan took no part in the consideration or decision of this application.

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No. 478. Obear-Nester Glass Company, petitioner, *v.* Commissioner of Internal Revenue. The motion for leave to file petition for rehearing is denied. Mr. Justice Harlan took no part in the consideration or decision of this motion.

No. 632. Ann B. Roseman Lloyd, petitioner, *v.* Robert W. Campbell, Executor of the Estate of Charles E. Roseman, Jr., Deceased, et al.; and

No. 670. Herschel S. Green and Madge Green, petitioners, *v.* Oscar L. Green et al. The petitions for rehearing are denied.

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No. 143, Misc., October Term, 1953. Jay Paul Shelton, petitioner, *v.* United States of America. The motion to vacate the order of November 30, 1953, dismissing the petition for writ of certiorari is denied. Mr. Justice Harlan took no part in the consideration or decision of this motion.

No. 161, Misc. S. P. Beecher, petitioner, *v.* Leavenworth State Bank et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 464, Misc. William Heirens, petitioner, *v.* State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 542, Misc. Charles Von Glahn, petitioner, *v.* People of the State of New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 543, Misc. Earlon S. Sell, petitioner, *v.* Charles G. Day, Warden. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 583, Misc. Hugh Norman Harrison, petitioner, *v.* State of Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 586, Misc. Minor Sorber, petitioner, *v.* State of Mississippi. Petition for writ of certiorari to the Supreme Court of Mississippi denied.

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No. —. In re Disbarment of Edmond C. Fletcher. The motion to vacate the order of disbarment is denied.

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ORDER

The Court will take a recess from today until Monday, June 6, next, upon which day it will adjourn for the term unless otherwise ordered.

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Adjourned until Monday, June 6, next, at 12 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Warren, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Burton, Mr. Justice Clark, Mr. Justice Minton, and Mr. Justice Harlan.

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Bernard Katzen, of New York, N. Y., Bernard C. Rachner, of Elgin, Ill., Julius Christian Renninger, of Takoma Park, Md., Eugene S. Kwasniewski, of Evanston, Ill., Robert L. Scharf, of Chicago, Ill., and Paul H. Fields, Jr., of Washington, D. C., on motion of Mr. Solicitor General Simon E. Sobeloff; Roland B. Voight, of Houston, Tex., on motion of Mr. Price Daniel; Clarence Emory Goodman, Jr., of Morristown, Tenn., on motion of Mr. Howard H. Baker; David C. Wood, of Philadelphia, Pa., on motion of Mr. Frank J. Staley; Hugh Q. Alexander, of Kannapolis, N. C., Geo. A. Shuford, of Asheville, N. C., Arthur Eldridge Leake, of Marshall, N. C., and Woodrow Wilson Jones, of Rutherfordton, N. C., on motion of Mr. Samuel J. Ervin, Jr.; Jerome D. Fenton, of Westport, Conn., on motion of Mr. Wilber M. Brucker; Walter Sterling Surrey, of Washington, D. C., on motion of Mr. Oscar H. Davis; Milton Seveck, of Linden, N. J., Harold Krieger, of Jersey City, N. J., and Thomas W. McVey, of Jersey City, N. J., on motion of Mr. T. Thomas Tumulty; Robert F. Kennedy, of Boston, Mass., on motion of Mr. John L. McClellan; Theodor H. Unterman, of Fair Lawn, N. J., on motion of Mr. Nathan Rubey; Israel G. Seeger, of Manhasset, N. Y., on motion of Mr. Ray R. Murdock; Malleck George Coury, of Tulsa, Okla., on motion of Mr. Page Belcher; Ernest C. Tucker, of Washington, D. C., on motion of Mr. Michael Francis Xavier Dolan; Jack L. Holstein, of Newark, N. J., Salvatore E. Intintola, of Newark, N. J., George A. Costello, of Newark, N. J., Daniel Saxon Bell, of East Orange, N. J., Michael J. Adubato, of Newark, N. J., Michael J. Kosloski, of Newark, N. J., Burnett B. Zimmerman, of Newark, N. J., and Ernest N. Giannone, of Newark, N. J., on motion of Mr. Aristo Dallavalle; John F. Anderson, of Winchester, Va., on motion of Mr. James Randolph Larrick; John Geoffrey Will, of Denver, Colo., on motion of Mr. Edward W. Fisher; John S. Conroy 3d, of Burlington, N. J., on motion of Mr. Charles R. Richey; John H. Smith, of Miami, Fla., on motion of Mr. John J. O'Keefe; Lawrence S. Schulman, of Chicago, Ill., on motion of Mr. Edgar Douglas Burgor; Stephen P. Kennedy, of New York, N. Y., on motion of Mr. Frederick J. Ludwig; Alfred John Neilson, of Washington, D. C., on motion of Mr. Charles Patrick Clark;

Prince A. Hawkins, of Reno, Nev., on motion of Rufus King; Arthur B. Focke, of Wood Acres, Md., on motion of Mr. Frank H. Weitzel; Ruth J. Fielding, of Plant City, Fla., on motion of Mr. Walter H. E. Jaeger; Madison S. DuBois, of Camden, N. J., on motion of Mr. John W. Pehle; David Proctor, of Houston, Tex., on motion of Mr. Archie D. Gray; Ben Lawson, of Miami, Fla., on motion of Mr. Myron C. Baum; Peter Friedman, of Newton, N. J., on motion of Mr. Frank G. Schlosser; Richard E. Bauman, of New York, N. Y., on motion of Mr. James Thaddeus Clark; Edward de Grazia, of Washington, D. C., on motion of Mr. Donald C. Beelar; and Edward Francis Seitzinger, of Mapleton, Iowa, on motion of Mr. John R. Duree, were admitted to practice.

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No. 20. James R. Ellis, as President of the Yonkers Committee for Peace, an Unincorporated Association, petitioner, *v.* William Dixon et al., as Members of the Board of Education of the City of Yonkers, etc. On writ of certiorari to the Supreme Court of New York, Appellate Division, Second Department. Writ of certiorari dismissed as improvidently granted. Opinion by Mr. Justice Harlan. Dissenting: The Chief Justice, Mr. Justice Black, Mr. Justice Douglas, and Mr. Justice Clark.

No. 367. Federal Power Commission, petitioner, *v.* The State of Oregon et al. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment reversed and case remanded to the Court of Appeals for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Burton. Dissenting opinion by Mr. Justice Douglas. Mr. Justice Harlan took no part in the consideration or decision of this case.

No. 375. Virgil G. Carroll, Harry B. Hogan, Doing Business as Harry B. Hogan Painting Company, et al., petitioners, *v.* M. Lanza, Doing Business as Lake Charles Electric Company. On writ of certiorari to the United States Court of Appeals for the Eighth Circuit. Judgment reversed with costs and case remanded to the United States District Court for the Western District of Arkansas for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Burton and Mr. Justice Harlan join.

No. 387. James P. Mitchell, Secretary of Labor, United States Department of Labor, petitioner, *v.* C. W. Vollmer & Company, Inc. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment reversed and case remanded to the United States District Court for the Eastern District of Louisiana for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Minton in which Mr. Justice Frankfurter joins. Mr. Justice Harlan took no part in the consideration or decision of this case.

No. 131. J. W. Whitehouse, G. Orndorff, J. H. Sylvester, et al., petitioners, *v.* Illinois Central Railroad Company et al. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Judgment reversed with costs and case remanded to the United States District Court for the Northern District of Illinois for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Frankfurter. Dissenting: Mr. Justice Reed, Mr. Justice Douglas, and Mr. Justice Minton. Mr. Justice Harlan took no part in the consideration or decision of this case.

No. 412. Aubry Williams, petitioner, *v.* State of Georgia. On writ of certiorari to the Supreme Court of the State of Georgia. Case remanded to the Supreme Court of Georgia for reconsideration. Opinion by Mr. Justice Frankfurter. Dissenting opinion by Mr. Justice Clark in which Mr. Justice Reed and Mr. Justice Minton join. Dissenting opinion by Mr. Justice Minton in which Mr. Justice Reed and Mr. Justice Clark join.

No. 451. Federal Communications Commission, petitioner, *v.* Allentown Broadcasting Corp. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Reed. Mr. Justice Douglas dissents. Mr. Justice Black took no part in the consideration or decision of this case.

No. 163. Charles Lawlor and Mitchell Pantzer, Co-Partners Trading as Independent Poster Exchange, petitioners, *v.* National Screen Service Corporation et al. On writ of certiorari to the United States Court of Appeals for the Third Circuit. Judgment reversed with costs and case remanded to the United States District Court for the Eastern District of Pennsylvania for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Chief Justice Warren. Mr. Justice Harlan took no part in the consideration or decision of this case.

No. 376. John P. Peters, petitioner, *v.* Oveta Culp Hobby et al. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment of Court of Appeals reversed and case remanded to the United States District Court for the District of Columbia for entry of a decree in conformity with the opinion of this Court. Opinion by Mr. Chief Justice Warren. Concurring opinion by Mr. Justice Black. Concurring opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Reed in which Mr. Justice Burton joins.

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The Chief Justice said:

“The orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally.”

No. 581, Misc. Morris W. Lee, petitioner, *v.* A. McDonald, Warden, Federal Correctional Institution, Texarkana, Texas. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. *Per Curiam*: The motion for leave to proceed in forma pauperis and the petition for writ of certiorari are granted. The judgment of the Court of Appeals is vacated and the case is remanded to the District Court with directions to dismiss the petition for writ of habeas corpus upon the ground that the cause is moot.

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No. 815. Judson Griffin and James Crenshaw, petitioners, *v.* People of the State of Illinois. It is ordered that Charles A. Horsky, Esquire, of Washington, D. C., a member of the Bar of this Court, be appointed to serve as counsel for the petitioners in this case.

No. 150. United States of America, *ex rel.* Audrey M. Toth, petitioner, *v.* Harold E. Talbott, Secretary of the United States Air Force. This case is restored to the docket for reargument.

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No. 763. William Ludwig Ullmann, petitioner, *v.* United States of America. The motion for leave to file brief of Emergency Civil Liberties Committee, as *amicus curiae*, is denied. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted.

No. 790. Lonnie Affronti, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit granted and the case is transferred to the summary calendar.

No. 793. United States of America, petitioner, *v.* Leslie Salt Co. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted and the case is transferred to the summary calendar.

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No. 653. Jose Marques Couto, petitioner, *v.* Edward J. Shaughnessy, District Director of Immigration and Naturalization for the District of New York. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 743. C. Russell Feldmann et al., petitioners, *v.* Jane Perlman et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 747. Irene L. Fairbairn, as Administratrix of the Goods, Chattels, and Credits of Robert L. Fairbairn, Deceased, petitioner, *v.* North Atlantic and Gulf Steamship Company. Petition for writ of

certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 749. Henry Heide, Inc., petitioner, *v.* National Labor Relations Board; and

No. 783. Candy and Confectionery Workers Union, Local 452, AFL, petitioner, *v.* National Labor Relations Board. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 750. Vincent Cefalu, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 751. West Texas Utilities Company, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 752. Hurley A. Walters, W. Hoyt Knight, Otis Rollison, et al., petitioners, *v.* Frank Wheeler Hall. Petition for writ of certiorari to the Supreme Court of South Carolina denied.

No. 753. H. Koch & Sons, a Partnership Consisting of M. P. Koch et al., petitioners, *v.* Hycon Mfg. Company. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 755. Frank Cammarata, petitioner, *v.* State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 756. Permanente Steamship Corporation, petitioner, *v.* Henry Peterson. Petition for writ of certiorari to the District Court of Appeal of California, First Appellate District, denied.

No. 764. Everest Melvin Hupman, a/k/a Melvin E. Hupman, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 767. Wm. H. Frantz et al., Individually and as Co-Partners Doing Business as Frantz Equipment Company, a Co-Partnership, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 769. City of Amarillo, petitioner, *v.* Olive Copeland. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 770. Margaret Johnson, as Administratrix of the Goods, Chattels, and Credits of Charles Johnson, Deceased, petitioner, *v.* The New York, New Haven & Hartford Railroad Company. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 772. Brutus Lewis, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 775. The United States, petitioner, *v.* James Joseph Roberson. Petition for writ of certiorari to the United States Court of Claims denied.

No. 776. Pacific Employers Insurance Company, petitioner, *v.* Harold B. Wackerle and Evelyn Wackerle. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 778. John L. Bishop et al., petitioners, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 781. Norris McAlmond, petitioner, *v.* Lawrence Delmore, Jr., Warden and Superintendent of the Washington State Penitentiary, Walla Walla, Washington. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 786. National Savings and Trust Company and Charles T. Tittmann, Surviving Trustees, etc., petitioners, *v.* Herbert Brownell, Jr., Attorney General, as Successor to the Alien Property Custodian. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 811. Isadore Brill, Trustee in Bankruptcy of Phillip's, Inc., etc., petitioner, *v.* Cohen & Miller Advertising, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 840. Ernest J. Pirman et al., petitioners, *v.* Florida State Improvement Commission and State Road Department of Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 758. National Airlines, Inc., petitioner, *v.* Thelma Scholnik. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Burton took no part in the consideration or decision of this application.

No. 762. Lyles & Lang Construction Company, petitioner, *v.* E. I. du Pont de Nemours & Company and United States of America; and

No. 785. E. I. du Pont de Nemours & Company, petitioner, *v.* Lyles & Lang Construction Company. Petitions for writs of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Mr. Justice Harlan took no part in the consideration or decision of these applications.

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No. 152, October Term, 1952. Mondakota Gas Company, petitioner, *v.* Montana-Dakota Utilities Co. The motion for leave to file petition

for rehearing is denied. The Chief Justice and Mr. Justice Harlan took no part in the consideration or decision of this motion.

No. 459. Anthony Lopiparo, petitioner, *v.* United States of America. The motion for leave to file petition for rehearing is denied. Mr. Justice Harlan took no part in the consideration or decision of this motion.

No. 646. Carl Bianchi, L. A. Thompson, and William Poster, petitioners, *v.* United States of America;

No. 657. J. Stacey Henderson, petitioner, *v.* United States of America;

No. 681. Charles Gusick, petitioner, *v.* Arizona;

No. 697. Bennie C. Caldwell, petitioner, *v.* United States of America;

No. 742. William H. Combs et al., appellants, *v.* The Illinois State Toll Highway Commission et al.;

No. 538, Misc. John Forsythe, petitioner, *v.* State of New Jersey;

No. 565, Misc. James Garrow, Jr., petitioner, *v.* State of California; and

No. 566, Misc. Geraldine V. DeFoe, petitioner, *v.* Weaver Bros., Inc. The petitions for rehearing in these cases are severally denied.

No. 541, Misc. Richard Allen Thraikill, an Infant, etc., et al., petitioners, *v.* Baltimore and Ohio R. R. Co. The motion for leave to proceed in forma pauperis is granted. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 93, Misc. James C. Hartfield, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 160, Misc. Clarence Mahurin, petitioner, *v.* B. C. Tomlinson. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 188, Misc. Charles Westbrook, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 211, Misc. Clarence Mahurin, petitioner, *v.* Ralph N. Eidson, Warden, Missouri State Penitentiary. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 235, Misc. James E. Mason, petitioner, *v.* Lawrence Delmore, Jr., as Superintendent of Washington State Penitentiary. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 291, Misc. William Hightower, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 336, Misc. Raymond Harvey Ross, petitioner, *v.* Harley O. Teets, Warden. Petition for writs of certiorari to the Supreme Court of California denied.

No. 359, Misc. Fred Russell Harris, petitioner, *v.* Harley O. Teets, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. 395, Misc. Ralph D. Rutledge, petitioner, *v.* State of Kansas et al. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 397, Misc. John A. Provancher, petitioner, *v.* State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 420, Misc. Francis Haines, petitioner, *v.* Thomas J. Courtney, Morris G. Meyers, Thomas J. Bowler, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 422, Misc. Talbot Jennings, petitioner, *v.* Fremont Nester, Edward. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 426, Misc. William Strong, petitioner, *v.* Charles A. Edmondson, Warden, et al. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 427, Misc. S. Leon Levy, petitioner, *v.* Carlton Hayward and Louis Levine. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 429, Misc. Robert Parker, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 430, Misc. Roland Thomas Pond, petitioner, *v.* State of Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 431, Misc. Herbert Clark, petitioner, *v.* State of Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 459, Misc. Wm. H. Crozier, Jr., and Mary K. Crozier, petitioners, *v.* Bank of Hawaii and Royal Indemnity Company. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 492, Misc. Robert J. Kubus, petitioner, *v.* State of Minnesota. Petition for writ of certiorari to the Supreme Court of Minnesota denied.

No. 500, Misc. Billie Friel Swaggerty, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 501, Misc. Herman Hayman, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 502, Misc. George William Hodge, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 507, Misc. Lewis W. Hite, petitioner, *v.* Western Maryland Railway. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 508, Misc. Charles H. Lunce and John R. Reynolds, petitioners, *v.* State of Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 509, Misc. Henry C. Simpson, petitioner, *v.* Harley O. Teets, Warden, California State Prison at San Quentin, California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 510, Misc. William Henry Ward, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 518, Misc. John Burden, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 524, Misc. Clarence Mahurin, petitioner, *v.* H. G. Morris and Wife, etc. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 533, Misc. John Witt, petitioner, *v.* Richard A. McGee, Director of Correction of the State of California et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 534, Misc. Evelyn Bates, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 544, Misc. Jaime Francis Edwards, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 546, Misc. Leslie Hudson, petitioner, *v.* State of Iowa. Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. 552, Misc. Joe Applebaum and Bertram E. Simms, a Partnership, d/b/a Center Amusements, petitioners, *v.* Paramount Pictures, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 575, Misc. Dexter C. Dayton, petitioner, *v.* James V. Bennett, Director, Bureau of Prisons, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 582, Misc. Lawrence Condon, petitioner, *v.* People of the State of New York. Petition for writ of certiorari to the County Court of Kings County, New York, denied.

No. 584, Misc. Louis Serraille, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 587, Misc. John Plocar, petitioner, *v.* A. B. Foster, Sheriff. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 592, Misc. Harry Baldrige, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 594, Misc. Gerard E. Nistal, petitioner, *v.* Karl F. Hausauer, Commanding General of the New York National Guard. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 597, Misc. Alvin S. Randall, petitioner, *v.* Joseph E. Ragen, Warden, Illinois State Penitentiary. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 598, Misc. Howard D. Mitchell, petitioner, *v.* State of California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 603, Misc. Frank A. Barnes, petitioner, *v.* Federal Communications Commission. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 605, Misc. Louis Lyons, petitioner, *v.* Eugene Weems, Jr., and Charles Weems, Doing Business as Weems Brothers Seafood Company. Petition for writ of certiorari to the Supreme Court of Mississippi denied.

No. 606, Misc. Leonard J. Vraniak, petitioner, *v.* State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 607, Misc. Francis Haines, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit and the United States District Court for the Northern District of Illinois denied.

No. 608, Misc. James Bell Yager, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 609, Misc. Eugene Galle, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Will County, Illinois, denied.

No. 610, Misc. George Howard Hall, Jr., petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 611, Misc. Carlos Rodriguez, petitioner, *v.* J. Vernal Jackson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 612, Misc. John R. Vandever, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 613, Misc. Koger A. Wilson, petitioner, *v.* District of Columbia. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 614, Misc. William A. Sproch, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 615, Misc. John A. Woods, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Will County, Illinois, denied.

No. 616, Misc. William Taylor, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 620, Misc. Ralph Freccia, Jr., petitioner, *v.* People of the State of New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 621, Misc. Ronald H. Boone, petitioner, *v.* Commonwealth of Massachusetts. Petition for writ of certiorari to the Supreme Judicial Court of Massachusetts denied.

No. 622, Misc. Ed. Milan, petitioner, *v.* Commonwealth of Kentucky et al. Petition for writ of certiorari to the Court of Appeals of Kentucky denied.

No. 623, Misc. Rose Cabell Hill, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 624, Misc. James Henry Ford, petitioner, *v.* District of Columbia. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 625, Misc. Girardo V. DeLorenzo, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 626, Misc. Richard H. Davis, petitioner, *v.* Arthur E. Summerfield, Postmaster General. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 627, Misc. Grady P. Hicks and Lydia Joan Hicks, Husband and Wife, petitioners, *v.* William Corbett, etc., et al. Petition for writ of certiorari to the District Court of Appeal of California, Second Appellate District, denied.

No. 628, Misc. Elmer S. Lenz, petitioner, *v.* C. H. Looney, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 629, Misc. Thomas Harvey, petitioner, *v.* Nathan Mayo, Prison Custodian of the State of Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 631, Misc. Martin S. Pratt, petitioner, *v.* Department of the Army et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 632, Misc. Joseph Moyle, petitioner, *v.* Harley O. Teets, Warden of the California State Prison at San Quentin. Petition for writ of certiorari to the Supreme Court of California denied.

No. 633, Misc. Harold Page, petitioner, *v.* Orel J. Skeen, Warden, West Virginia State Penitentiary, Moundsville, W. Va. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 634, Misc. Walter C. Cason, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 635, Misc. Charles A. Byrnes, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 636, Misc. Edward Pugliese, petitioner, *v.* Commonwealth of Massachusetts. Petition for writ of certiorari to the Supreme Judicial Court of Massachusetts denied.

No. 640, Misc. John Edwin Byers, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 641, Misc. William B. Lancaster, petitioner, *v.* Commonwealth of Pennsylvania et al. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 645, Misc. Garfield J. Kelly, petitioner, *v.* State of Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 646, Misc. C. J. Worthington, petitioner, *v.* State of Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 647, Misc. Gavoer Manhat, petitioner, *v.* United States of America and Project Construction Corporation et al. Petition for

writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 648, Misc. Raymond E. Hall, petitioner, *v.* O. B. Ellis, General Manager, Texas Prison System, et al. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 649, Misc. Eugene Wallace, Sr., petitioner, *v.* Copiah County Lumber Company and Lumbermen's Mutual Casualty Insurance Co. Petition for writ of certiorari to the Supreme Court of Mississippi denied.

No. 651, Misc. John A. Curtis, petitioner, *v.* People of the State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 652, Misc. Gabriel Vincente Marcias, petitioner, *v.* The People of the State of California. Petition for writ of certiorari to the District Court of Appeal of California, Fourth Appellate District, denied.

No. 653, Misc. J. W. Philyaw, petitioner, *v.* State of Arkansas. Petition for writ of certiorari to the Supreme Court of Arkansas denied.

No. 654, Misc. Erskine Gates, petitioner, *v.* People of the State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 655, Misc. Nathaniel Firmstone, petitioner, *v.* Charles G. Day, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 656, Misc. Francis L. Malvin, petitioner, *v.* State of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 661, Misc. Joseph Ortega, petitioner, *v.* State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 662, Misc. Ernest Tait, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois, denied.

No. 667, Misc. William J. Wohl, petitioner, *v.* People of the State of New York. Petition for writ of certiorari to the County Court of Nassau County, New York, denied.

No. 671, Misc. Corinne C. Waterman, petitioner, *v.* Secretaries of the U. S. Air Force, U. S. Army, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 672, Misc. Frank Buzzie, petitioner, *v.* People of the State of California. Petition for writ of certiorari to the District Court of Appeal of California, Fourth Appellate District, denied.

No. 676, Misc. Frank Hamilton, petitioner, *v.* Hon. Lester G. Baker, Judge, etc. Petition for writ of certiorari to the Circuit Court of Dearborn County, Indiana, denied.

No. 677, Misc. Louis Charizio, petitioner, *v.* George A. Cummings, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 679, Misc. Sylvester Zakowicki, petitioner, *v.* Joseph P. Conboy, Superintendent of Great Meadows Correctional Institution, Comstock, N. Y. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 681, Misc. William B. Sullivan, petitioner, *v.* Robert A. Heinze, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 684, Misc. Wilbur Hudson, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 685, Misc. James W. Doris, petitioner, *v.* State of Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 686, Misc. Thomas F. Owens, Jr., petitioner, *v.* George A. Cummings, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 691, Misc. Calman Cooper, Nathan Wissner, and Harry A. Stein, petitioners, *v.* Wilfred L. Denno, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 580, Misc. Sarah D. Bolotin, petitioner, *v.* Workman Service Co. et al. Petition for writ of certiorari to the District Court of Appeal of California, Second Appellate District, denied. The Chief Justice took no part in the consideration or decision of this application.

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No. 292, Misc. Ralph H. Manchester, petitioner, *v.* Clarence T. Gladden, Warden;

No. 643, Misc. Donald C. Rooks, petitioner, *v.* O. B. Ellis, General Manager, Texas Prison System;

No. 658, Misc. George Groat, petitioner, *v.* Agent of United States Judge Theodore Levin et al.; and

No. 666, Misc. Earl C. Weldon, petitioner, *v.* Herbert Brownell, Attorney General, et al. The motions for leave to file petitions for writs of certiorari are denied.

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No. 306, Misc. Leroy Kendrick, petitioner, *v.* W. M. Manning, Superintendent of South Carolina Penitentiary;

No. 335, Misc. Ex parte William Hightower, petitioner;

No. 596, Misc. Houston Collins, petitioner, *v.* Joseph E. Ragen, Warden of Illinois State Penitentiary;

No. 617, Misc. John C. Farris and Marie J. Nakatla, petitioners, *v.* Robert A. Heinze, Warden, et al.;

No. 650, Misc. Calvin E. Taylor, petitioner, *v.* United States of America;

No. 657, Misc. Bernard H. Tabor, petitioner, *v.* William H. Hardwick, Warden;

No. 664, Misc. Charles E. Hamilton, petitioner, *v.* E. J. Uffelman, Superintendent, Illinois State Security Hospital;

No. 665, Misc. William E. Howell, petitioner, *v.* Chesley H. Looney, Warden;

No. 669, Misc. Sol Newstead, petitioner, *v.* Harold Baynes;

No. 674, Misc. Samuel Kelley, petitioner, *v.* Commonwealth of Virginia et al.;

No. 675, Misc. Edward J. Wellens, petitioner, *v.* People of the State of California;

No. 680, Misc. Ex parte Odell Jackson, petitioner; and

No. 682, Misc. Francis J. Hilderbrand, petitioner, *v.* Dr. Ivan W. Steele, Warden. The motions for leave to file petitions for writs of habeas corpus are denied.

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No. 638, Misc. In the Matter of Herman Howlery, petitioner. The application is denied.

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No. 659, Misc. Walter G. Danker, petitioner, *v.* Raymond W. Starr, Judge, etc.;

No. 670, Misc. Ex parte Robert E. Lipscomb, petitioner; and

No. 683, Misc. Harry Lancaster, petitioner, *v.* W. Wallace Kent, Judge, U. S. District Court for the Western District of Michigan. The motions for leave to file petitions for writs of mandamus are denied.

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— In the Matter of L. Barrett Jones. It appearing that all costs in the cases of Amalgamated Association of Street, Electric Railway, etc., et al., *v.* Southern Bus Lines, Nos. 716 and 717, of the October Term, 1952, have now been paid, the rule to show cause is discharged.

— In the Matter of J. B. Baltzegar. It appearing that all costs in the case of Rickenbaker *v.* United States, No. 229, of the October Term, 1954, have now been paid, the rule to show cause is discharged.

— In the Matter of George S. Hawke. The rule to show cause is discharged, it appearing that the respondent died prior to the date the rule issued.

— In the Matter of William B. Collins. It appearing that the rule to show cause has not been served because the respondent cannot be located, the rule is discharged.

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ORDER

IT IS ORDERED that paragraph 1 of Rule 41 of the Rules of this Court be amended to read as follows:

1. Counsel for the appellant or petitioner shall file with the clerk forty copies of his printed brief on the merits, within thirty days after receipt by him of the printed record transmitted by the clerk pursuant to Rule 36 (5), or within forty-five days of the order noting or postponing probable jurisdiction or of the order granting the writ of certiorari, whichever is later. Where copies of the record as printed for the use of the court below are furnished, such brief shall be filed within forty-five days of the order noting or postponing probable jurisdiction or of the order granting certiorari. Where, however, a case is placed on the calendar too late in the term to be reached for argument before the commencement of the next term, the clerk will so notify the parties. In that event, counsel for the appellant or petitioner need not file the required number of copies of his brief prior to August 25, if that date would be later than thirty days after receipt of the printed record.

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The Chief Justice said:

“Beginning next term and until further notice the Court will not hear arguments or hold open sessions on Friday. That day will be reserved for conferences of the Court, heretofore held on Saturday.

“This change in our schedule will not affect the number of cases to be heard during the term. The Court is current with its calendar and expects to remain so.

“Normally, in order to obviate the possibility of inconvenience to counsel coming from a distance, cases in which counsel reside nearby will be listed for hearing on Thursday.”

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The Chief Justice announced the following order of the Court:

“All cases submitted and all business before the Court at this term in readiness for disposition having been disposed of,

“IT IS ORDERED by this Court that all cases on the docket be, and they are hereby, continued to the next term.”

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Adjourned to the time and place appointed by law.